

**EASTAMPTON TOWNSHIP MASTER PLAN
HOUSING ELEMENT
AND FAIR SHARE PLAN
EASTAMPTON TOWNSHIP
BURLINGTON COUNTY, NEW JERSEY**

Prepared For:

Eastampton Township
Eastampton Manor House
12 Manor House Court
Eastampton, NJ 08060

Prepared By:

Environmental Resolutions, Inc.
525 Fellowship Road, Suite 300
Mount Laurel, NJ 08054

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#43036-00

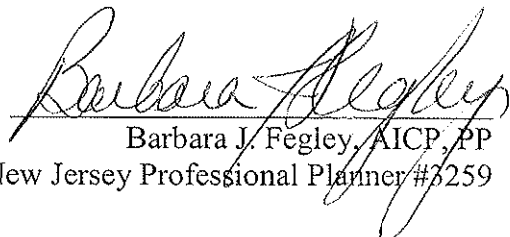

Barbara J. Fegley, AICP, PP
New Jersey Professional Planner #3259

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EASTAMPTON TOWNSHIP, NEW JERSEY HOUSING PLAN ELEMENT

I. INVENTORY OF MUNICIPAL HOUSING STOCK

A. Age of Housing Stock

Eastampton Township has a relatively new housing stock as shown in Figure H-1. Approximately 86 percent of the Township's housing was constructed since 1960 as opposed to 70 percent for the County in the same period. Over sixty-seven percent of the Township's housing was constructed since 1970 as opposed to 52.3 percent for the County. Housing reached its peak in the Township during 1970-1979 with a decrease each year since that period. This is also the case for County home construction.

To prevent the gradual decline in the quality of housing, the Township should continue to pursue enforcement of the existing Property Maintenance Code.

**FIGURE H-1
AGE OF HOUSING STOCK**

Eastampton Township and Burlington County, NJ

Decade	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
Pre 1939	93	4.0	19,081	11.8
1940-1959	230	9.9	29,056	18.0
1960-1969	425	18.4	28,884	17.9
1970-1979	589	25.5	32,103	19.9
1980-1989	433	18.7	25,620	15.9
1990-1994	417	18.0	12,138	7.5
1995-1998	106	4.6	10,456	6.5
1999-March 2000	19	0.8	4,004	2.5
Total	2,312	100.0	161,342	100.0

Source: US Bureau of the Census, Census 2000. Profile of Selected Housing Characteristics, Eastampton Township and Burlington County, NJ.

B. Owner Occupied Housing Values

The median housing value for the Township was \$136,800 in 1990 and \$143,100 in 2000. County values were less in both decades with a median value of \$122,000 in 1990 and \$137,500 in 2000. The predominant housing value in the Township is in the \$100,000 to \$149,000 range, with over half of the owner occupied units in this category as shown in Figure H-2. Another thirty percent of the homes are valued between \$150,000 and \$199,000. Only 14.5 percent of the units are above or below the \$100,000 to \$199,999 range. In the County, there is likewise a majority of units within the \$100,000 to \$149,999 value range but there is a greater percentage of units valued below \$100,000 and greater than \$199,999.

FIGURE H-2
OWNER OCCUPIED HOUSING VALUES

Eastampton Township and Burlington County, NJ

Value	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
Less than \$50,000	0	0.0	1,012	0.9
\$50,000 to \$99,999	62	4.3	24,314	22.5
\$100,000 to \$149,999	784	54.8	38,222	35.4
\$150,000 to \$199,999	432	30.2	23,704	21.9
\$200,000 to \$299,999	142	9.9	14,268	13.2
\$300,000 to \$499,999	6	0.4	5,197	4.8
\$500,000 to \$999,999	0	0.0	1,119	1.0
\$1,000,000 or more	4	0.3	176	0.2
Median (Dollars)	\$143,100	100.0	\$137,400	100.0

Source: US Bureau of the Census, Census 2000. Profile of Selected Housing Characteristics, Eastampton Township and Burlington County, NJ.

C. Mortgage Status and Selected Monthly Owner Costs

Figure H-3 indicates mortgage status and selected monthly owner costs. In the Township, the median mortgage is \$1,516 as opposed to \$1,393 in the County. There are a greater percentage of Township residents with a mortgage (89.9 percent) as opposed to the County (75.4 percent) and conversely, the Township has fewer properties without a mortgage (10.1 percent) than the County (24.6 percent).

FIGURE H-3
MORTGAGE STATUS AND SELECTED MONTHLY OWNER COSTS

Eastampton Township and Burlington County, NJ

Value	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
With a Mortgage	1,285	89.9	81,469	75.4
Less than \$300	0	0.0	18	0.0
\$300 to \$499	0	0.0	541	0.5
\$500 to \$699	23	1.6	3,115	2.9
\$700 to \$999	62	4.3	11,861	11.0
\$1,000 to \$1,499	538	37.6	32,104	29.7
\$1,500 to \$1,999	428	29.9	19,555	18.1
\$2,000 or More	234	16.4	14,275	13.2
Median (Dollars)	1,516		1,393	
Not Mortgaged	145	10.1	26,543	24.6
Median (Dollars)	\$548		\$503	

Source: US Bureau of the Census, Census 2000. Profile of Selected Housing Characteristics, Eastampton Township and Burlington County, NJ.

D. Monthly Owner Costs

Figure H-4 indicates Selected Monthly Owner Costs as a percentage of Household Income in 1999. In the Township, approximately 21.2 percent of households spend between 15.0 to 19.9 percent of their income on owner costs. The greatest percentage of County households (26.1 percent) spend less than 15.0 percent on owner costs. The second largest percentage of household costs for the Township is in the 35 percent or more of household income category as opposed to 15.0 to 19.9 percent for the County. The figures indicate that generally, Township residents spend more of their household income on owner costs than County residents.

FIGURE H-4
SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF
HOUSEHOLD INCOME IN 1999

Eastampton Township and Burlington County, NJ

Percentage	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
Less than 15.0 Percent	267	18.7	28,193	26.1
15.0 to 19.9 Percent	303	21.2	19,503	18.1
20.0 to 24.9 Percent	266	18.6	18,593	17.2
25.0 to 29.9 Percent	193	13.5	13,456	12.5
30.0 to 34.9 Percent	115	8.0	8,462	7.8
35.0 Percent or More	286	20.0	19,365	17.9
Not Computed	0	0.0	440	0.4

Source: US Bureau of the Census, Census 2000. Profile of Selected Housing Characteristics, Eastampton Township and Burlington County, NJ.

E. Gross Rent

Figure H-5 shows Gross Rent for Eastampton Township and Burlington County residents. Median rent for Township residents is \$722 as opposed to \$758 for the County. The majority of Township residents (61.1 percent) pay between \$500 to \$749 for rent. The majority of County residents also pay this rent amount, however, only 36.3 percent of County residents are within this category. The figures also indicate that there are less Township residents (1.7 percent) paying no cash rent as opposed to County residents in this category (8.1 percent).

**FIGURE H-5
GROSS RENT**

Eastampton Township and Burlington County, NJ

Gross Rent	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
Less than \$200	0	0.0	470	1.4
\$200 to \$299	11	1.7	502	1.5
\$300 to \$499	4	0.6	1,966	5.7
\$500 to \$749	402	61.1	12,545	36.3
\$750 to \$999	188	28.6	10,222	29.6
\$1,000 to \$1,499	36	5.5	4,983	14.4
\$1,500 or More	6	0.9	1,076	3.1
No Cash Rent	11	1.7	2,817	8.1
Median (Dollars)	\$722		\$758	

Source: US Bureau of the Census, Census 2000. Profile of Selected Housing Characteristics, Eastampton Township and Burlington County, NJ.

F. Gross Rent and Household Income

Figure H-6 compares Gross Rent as a percentage of household income for Township and County residents. In the Township, 32.1 percent of renters spend 35 percent or more on rent as compared to 26.3 percent of County renters spending this amount. There was less disparity of rent to income figures for Township and County residents in all other categories.

**FIGURE H-6
GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME
IN 1999**

Eastampton Township and Burlington County, NJ

Value	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
Less than 15.0 Percent	119	18.1	5,707	16.5
15.0 to 19.9 Percent	96	14.6	5,580	16.1
20.0 to 24.9 Percent	76	11.6	4,741	13.7
25.0 to 29.9 Percent	68	10.3	3,564	10.3
30.0 to 34.9 Percent	59	9.0	2,639	7.6
35.0 Percent or More	211	32.1	9,105	26.3
Not Computed	29	4.4	3,245	9.4

Source: US Bureau of the Census, Census 2000. Profile of Selected Housing Characteristics, Eastampton Township and Burlington County, NJ.

G. Housing Tenure

Housing tenure is shown in Figure H-7. Over seventy percent of occupied units in the Township are owner occupied and approximately thirty percent are renter occupied. In the County, 77.4 percent of the units are owner occupied and 22.6 percent are renter occupied. Figure H-7 also indicates that average household size of owner units in the Township is greater than the County average. Average household size for renters in the Township is less than the County average.

FIGURE H-7
OCCUPIED UNITS HOUSING TENURE

Eastampton Township and Burlington County, NJ

Unit Type	Eastampton Township			Burlington County		
	Number of Units	Percent	Average Household Size	Number of Units	Percent	Average Household Size
Owner Occupied	1,568	70.4	3.13	119,501	77.4	2.77
Renter Occupied	658	29.6	1.96	34,870	22.6	2.24
Total Units	2,226	100.0		154,371	100.0	

Source: US Bureau of the Census, Census 2000. Profile of General Demographic Characteristics
Eastampton Township and Burlington County, NJ.

H. Units in Structure

One-unit detached units comprise the majority of housing types in both Eastampton Township and Burlington County. Three or four unit structures comprise the next largest housing type in the Township as opposed to one-unit attached housing in the County as shown in Figure H-8.

FIGURE H-8
UNITS IN STRUCTURE

Eastampton Township and Burlington County, NJ

Unit Type	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
1-Unit, Detached	1,468	63.5	104,299	64.7
1-Unit, Attached	125	5.4	22,090	13.7
2 Units	0	0.0	3,783	2.3
3 or 4 Units	226	9.8	6,374	4.0
5 to 9 Units	110	4.8	8,196	5.1
10 to 19 Units	118	5.1	7,251	4.5
20 or More Units	139	6.0	6,809	4.2
Mobile Home	117	5.1	2,477	1.5
Boat, RV, Van, Etc.	9	0.4	32	0.0
Total Units	2,312	100.0	161,311	100.0

Source: US Bureau of the Census, Census 2000. Profile of Selected Housing Characteristics, Eastampton Township and Burlington County, NJ.

I. Occupants Per Room

Figure H-9 reflects that in both the Township and County, approximately 98 percent of the occupied units contain 1.0 person or less per room.

**FIGURE H-9
OCCUPANTS PER ROOM**

Eastampton Township and Burlington County, NJ

Occupants Per Room	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
1.00 or Less	2,170	97.5	151,195	97.9
1.01 to 1.50	38	1.7	2,079	1.3
1.51 or More	18	0.8	1,097	0.7
Occupied Housing Units	2,226	100.0	154,371	100.0

Source: US Bureau of the Census, Census 2000. Profile of Selected Housing Characteristics, Eastampton Township and Burlington County, NJ.

J. Number of Rooms

The median number of rooms in Township and County housing units is approximately six (Figure H-10). The greatest percent of units in the Township contain seven or eight rooms as opposed to five or six rooms in the County. County units, however, contain a greater percentage of units with 9 or more units (14.7 percent) as opposed to Township units (8.8 percent) in this category.

**FIGURE H-10
NUMBER OF ROOMS**

Eastampton Township and Burlington County, NJ

Rooms	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
1	29	1.3	1,327	0.8
2	64	2.8	2,864	1.8
3	337	14.6	11,878	7.4
4	261	11.3	16,687	10.3
5	309	13.4	26,223	16.3
6	298	12.9	28,826	17.9
7	406	17.6	25,405	15.7
8	404	17.5	24,465	15.2
9 or More	204	8.8	23,636	14.7
Median	6.0	100.0	6.3	100.0

Source: US Bureau of the Census, Census 2000. Profile of Selected Housing Characteristics, Eastampton Township and Burlington County, NJ.

K. Home Heating Fuel

Information available from the Bureau of the Census indicates that in the Township and the County, utility gas is the fuel of choice with over sixty percent of units heated by that source. Electricity and oil or kerosene are the next preferred sources as shown in Figure H-11.

**FIGURE H-11
HOUSE HEATING FUEL**

Eastampton Township and Burlington County, NJ

Fuel Type	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
Utility Gas	1,540	69.2	101,645	65.8
Bottled, Tank or LP Gas	61	2.7	2,861	1.9
Electricity	317	14.2	20,906	13.5
Fuel Oil, Kerosene, etc.	303	13.6	27,365	17.7
Coal or Coke	0	0.0	49	0.0
Wood	5	0.2	567	0.4
Solar Energy	0	0.0	0	0.0
Other Fuel	0	0.0	560	0.4
No Fuel Used	0	0.0	418	0.3

Source: US Bureau of the Census, Census 2000. Profile of Selected Housing Characteristics, Eastampton Township and Burlington County, NJ.

L. Selected Characteristics

Figures H-11 and H-12 show selected housing characteristics that can describe substandard conditions. These include lack of plumbing, lack of kitchen facilities and lack of fuel. In the Township, all units contain a heating source. However, seventeen units (0.8 percent) lack complete plumbing and six units (0.3 percent) lack complete kitchen facilities. This is a somewhat higher percentage for the Township than the County.

**FIGURE H-12
SELECTED CHARACTERISTICS**

Eastampton Township and Burlington County, NJ

Selected Characteristic	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
Lacking Complete Plumbing Facilities	17	0.8	321	0.2
Lacking Complete Kitchen Facilities	6	0.3	295	0.2
No Telephone Service	0	0.0	1,236	0.8

Source: US Bureau of the Census, Census 2000. Profile of Selected Housing Characteristics, Eastampton Township and Burlington County, NJ.

II. PROJECTED MUNICIPAL HOUSING STOCK

A. Construction Permits Issued

Figure H-13 identifies the number of construction permits issued for new residential construction as reported by the New Jersey Department of Labor for the period 1990 to 2001. A review of the permit information indicates that between 1990 and 1999, all permits were issued for single family units. Of the 101 permits issued in 2000, one was for a single family unit, 55 permits were for 3-4 family units and 45 permits were for 5-7 family units. In 2001, one permit was issued for a single family unit, 7 permits were for 3-4 family units and 5 permits were for 5-7 family units. The Township witnessed a decline in construction permits between 1990 and 1993. A substantial decrease in permits is reflected in 1994-1995, 1997 and 1999. Year 2000 reflects the largest increase and number of permits as well as the first issuance of multi-family permits for the reporting period.

**FIGURE H-13
CONSTRUCTION PERMITS ISSUED**

Eastampton Township, NJ

Year	Number of Permits	Year	Number of Permits
1990	74	1996	49
1991	62	1997	5
1992	56	1998	19
1993	47	1999	5
1994	2	2000	101
1995	5	2001	13

Source: New Jersey Department of Labor, 2002.

B. Projected Housing

A projection of the Township's housing stock and population were included in the 1999 Housing Element of the Township's Master Plan. The Housing Element stated that, "adoption of zoning regulations consistent with the Land Use Element will allow for the future development of 193 to 443 new housing units, 100 of which will be set aside as low and moderate income housing as required by court order. Based on an average household size of 2.62 persons/unit, a potential population increase of 506 to 1,161 persons will result. Since the preparation of the Housing Element and July, 2001 revisions to the Land Use Element (approved by Eastampton Township Planning Board on August 1, 2001 in Resolution No. 2001-05) approximately 390 acres of Residential Agricultural lands have been preserved, thus significantly reducing the potential housing stock. The Township's potential housing stock is then 167 to 417 units with a potential population of 438 to 1,093.

III. DEMOGRAPHIC CHARACTERISTICS

A. Household Income

Household size, income level, age, and type are principal characteristics of the population that relate to housing. Figure H-14 shows household income for Township and County residents as reported in the 2000 Census. Median household income for the Township is \$66,406 as opposed to \$58,608 for the County. Almost sixty percent of Township households earn between \$35,000 and \$99,999 per year. Approximately 23 percent earn less than \$35,000 and eighteen percent earn \$100,000 or greater. County data indicates approximately 54 percent of the households earn between \$35,000 and \$99,999, 25.7 percent earn less than \$35,000 and 20.1 percent earn over \$100,000 per year. The 2000 Census Summary Information indicates that 33 families (2.0 percent) and 179 individuals (2.9 percent) were below the poverty level in 1999. According to the Council on Affordable Housing (COAH), 2008 regional income limits for a two and three person household in Burlington County is as follows. 2008 Regional Income Limits for 1 to 8 persons per households and rentals are included in Appendix D.

	2008 COAH Regional Income Limits	
	2 Persons	3 Persons
Very Low Income	\$17,832	\$20,061
Low Income	\$29,720	\$33,435
Moderate Income	\$47,552	\$53,496
Median Income	\$59,440	\$66,870

Using these income limits and Figure H-14, approximately 9 percent of Eastampton's households are very low income as opposed to approximately 11 percent in the County. Low income households in Eastampton account for approximately 13 percent as opposed to 14 percent in the County. Approximately 12 percent of Eastampton's households are moderate income as opposed to 15 percent in the County.

FIGURE H-14
HOUSEHOLD INCOME
Eastampton Township and Burlington County, NJ

Income	Eastampton Township		Burlington County	
	Number of Households	Percent	Number of Households	Percent
Less than \$10,000	78	3.5	6,016	3.9
\$10,000-14,999	41	1.8	5,311	3.4
\$15,000-24,999	183	8.2	12,627	8.2
\$25,000-34,999	209	9.4	15,823	10.2
\$35,000-49,999	258	11.6	23,797	15.4
\$50,000-74,999	587	26.3	35,925	23.2
\$75,000-99,999	473	21.2	23,990	15.5
\$100,000-149,999	345	15.5	21,240	13.7
\$150,000-199,999	36	1.6	5,371	3.5
\$200,000 or More	21	0.9	4,471	2.9
Median Income	\$66,406		\$58,608	
Total Households	2,231	100.0	154,571	100.0

Source: US Bureau of the Census, Census 2000. Profile of Selected Economic Characteristics, Eastampton Township and Burlington County, NJ.

B. Persons By Age

A review of the age distribution of the population can give insight into future demands on services, schools and housing trends. In the Township, the median age is 34.9 compared to 37.1 for the County, indicating a somewhat younger population in the Township. In the group 19 and under, 31.7 percent of the Township population is in this category as opposed to 27.3 percent for the County. The largest group of Township and County residents is within the 25 to 54 age category. Almost half of the Township residents (49.5 percent) fall within this category. In the retirement age group of 60 and older category, 10.2 percent of Township residents and 16.6 percent of County residents are within these ages.

**FIGURE H-15
PERSONS BY AGE**

Eastampton Township and Burlington County, NJ

Age Group	Eastampton Township		Burlington County	
	Number of Persons	Percent	Number of Persons	Percent
Less than 5	443	7.1	27,172	6.4
5 to 9	549	8.9	30,391	7.2
10 to 14	555	8.9	31,219	7.4
15 to 19	419	6.8	26,859	6.3
20 to 24	297	4.8	22,436	5.3
25 to 34	844	13.6	57,677	13.6
35 to 44	1,346	21.7	75,817	17.9
45 to 54	879	14.2	60,060	14.2
55 to 59	243	3.9	21,755	5.1
60 to 64	183	3.0	16,790	4.0
65 to 74	271	4.4	29,037	6.9
75 to 84	147	2.4	18,690	4.4
85+	26	0.4	5,491	1.3
Median	34.9		37.1	
Total	6,202		423,394	
Male	3,085	49.7	209,402	49.5
Female	3,117	50.3	213,992	50.5

Source: US Bureau of the Census, Census 2000. Profile of Selected Demographic Characteristics, Eastampton Township and Burlington County, NJ

C. Population Trends

Figure H-16 shows population trends for the Township from 1930 to 2000. Steady growth is shown since 1950 with the largest growth reflected in 1960. The 1970 and 1980 periods show a sixty-two and sixty-seven percent change. A significant reduction in growth is shown for 1990 and 2000 with only thirty percent and twenty five percent growth during these periods.

**FIGURE H-16
POPULATION TRENDS**

Eastampton Township, New Jersey

Year	Population	Change	% Change
1930	503	0	0.00
1940	498	-5	(-0.99)
1950	692	194	38.96
1960	1,402	710	102.60
1970	2,284	882	62.91
1980	3,814	1,530	66.99
1990	4,962	1,148	30.10
2000	6,202	1,240	24.99

Source: US Bureau of the Census.

D. Households By Type

Household by type information is useful in understanding the family and non-family composition of the Township and relative household size. In the Township, family households comprise 73.6 percent of all households and non-family households comprise 26.4 percent of the total. This is similar to the household composition of the County. Average household size in the Township is 2.78 persons and average family size is 3.29 persons. Approximately 45 percent of Township households contain individuals under 18 years of age and 15.2 percent of the households contain individuals 65 years and over. The Township figures indicate a younger population than the County. In the Township there are more households with individuals less than 18 years of age and less households with individuals over 65 years. Average household and family size was greater for the Township than the County.

**FIGURE H-17
HOUSEHOLDS BY TYPE**

Eastampton Township and Burlington County, New Jersey

Status	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
Family Households	1,639	73.6	111,581	72.3
With own children under 18 years	939	42.4	53,012	34.3
Married-couple family	1,363	61.2	89,052	57.7
With own children under 18 years	779	35.0	41,605	27.0
Female Householder, no husband present	188	8.4	16,785	10.9
With own children under 18 years	110	4.9	8,613	5.6
Nonfamily Households	587	26.4	42,790	27.7
Householder living alone	478	31.5	35,419	22.9
Householder 65 years and over	101	4.5	13,046	8.5
Households with individuals under 18 years	995	44.7	57,893	37.5
Households with individuals 65 years and over	338	15.2	37,115	24.0
Average Household Size	2.78		2.65	
Average Family Size	3.29		3.14	
Total Households	2,226	100.0	154,371	100.0

Source: US Bureau of the Census, Census 2000, Profile of General Demographic Characteristics, Eastampton Township and Burlington County, NJ.

IV. EMPLOYMENT CHARACTERISTICS

A. Employment Characteristics

Figure H-18 is a summary of Employment Characteristics for Township and County residents by type of industry. In the Township and County, the top three industries were educational, health and social services, retail trade, and manufacturing. The fourth greatest percentage of Township residents are employed in public administration as opposed to professional, scientific, management, etc. for the County residents.

FIGURE H-18
EMPLOYMENT CHARACTERISTICS

Eastampton Township and Burlington County, New Jersey

Industry	Eastampton Township		Burlington County	
	Number	Percent	Number	Percent
Agriculture, forestry, fishing, hunting, mining	13	0.4	847	0.4
Construction	104	3.1	11,598	5.6
Manufacturing	410	12.2	22,558	11.0
Wholesale trade	227	6.7	9,161	4.4
Retail trade	444	13.2	24,672	12.0
Transportation and warehousing, utilities	231	6.9	11,507	5.6
Information	114	3.4	7,074	3.4
Finance, insurance, real estate, rental, leasing	234	6.9	17,230	8.4
Professional, scientific, management, administrative, waste management services	262	7.8	21,844	10.6
Educational, health, social services	646	19.2	43,946	21.3
Arts, entertainment, recreation, accommodation, food services	195	5.8	11,526	5.6
Other services (except public administration)	101	3.0	8,433	4.1
Public administration	387	11.5	15,490	7.5

Source: US Bureau of the Census, Census 2000. Profile of Selected Economic Characteristics, Eastampton Township and Burlington County, NJ

B. Labor Force Estimates

The New Jersey Department of Labor reports annual average labor force estimates in Figure H-19. The data indicates that in the 1990 to 2004 period, unemployment reached a high of 8.2 percent in 1992 and steadily declined to 3.0 in 2000. An increase in unemployment again occurred in 2001 to 3.4 percent.

FIGURE H-19
ANNUAL AVERAGE LABOR FORCE ESTIMATES
Eastampton Township, New Jersey

Year	Labor Force	Employed	Unemployed	Unemployment Rate
1990	2,791	2,655	136	4.9
1991	2,828	2,644	184	6.5
1992	2,800	2,571	229	8.2
1993	2,737	2,562	175	6.4
1994	2,770	2,615	155	5.6
1995	2,864	2,714	150	5.2
1996	2,970	2,822	148	5.0
1997	3,042	2,920	122	4.0
1998	3,042	2,933	109	3.6
1999	3,086	2,977	109	3.5
2000	2,974	2,877	97	3.0
2001	2,988	2,876	112	3.7
2002	3,094	2,937	157	5.1
2003	3,118	2,961	158	5.1
2004	3,184	3,044	140	4.4

Source: New Jersey Department of Labor, Eastampton Township, NJ

C. Employment in Eastampton By Industry

The New Jersey Department of Labor and Workforce Development reports employment and wage data for Eastampton in 2003 in Figure H-20. The figures indicate that private sector employment in the Township significantly outweighs local government employment. The strongest private sector employers are accommodations and food services, wholesale trade, retail trade and administrative and waste services. Other local employment sectors include real estate and rental and leasing, professional and technical services and other services except public administration and construction.

Section V. Municipal Growth Share Obligation of this report charts certificates of occupancy and demolition permits from the past ten years and projects non-residential projects in the Township which translate to employment opportunities. With no large scale non-residential projects anticipated, it is anticipated that employment trends would remain consistent with past trends.

NEW JERSEY EMPLOYMENT AND WAGES: 2003 ANNUAL REPORT

MUNICIPALITIES BY INDUSTRY

EASTAMPTON TOWNSHIP

MUNICIPALITY/INDUSTRY	ANNUAL AVG.	MARCH	JUNE	SEPT	DEC	AVG	WEEKLY	ANNUAL
Construction	5	11	17	13	10	13	\$399	\$20,752
Manufacturing								
Wholesale Trade	4	87	89	81	91	85	\$1,297	\$67,466
Retail Trade	7	42	41	40	42	41	\$274	\$14,272
Transportation and Warehousing								
Information								
Finance and Insurance								
Real Estate and Rental and Leasing	3	12	13	15	14	14	\$400	\$20,798
Professional and Technical Services	6	8	12	10	11	11	\$661	\$34,368
Administrative and Waste Services	6	14	24	26	20	22	\$455	\$23,659
Educational Services								
Health Care and Social Assistance								
Arts, Entertainment, and Recreation								
Accommodation and Food Services	4	149	148	152	146	148	\$272	\$14,136
Other Services, Except Public Administration	4	4	11	5	5	6	\$339	\$17,652
Unclassified Entities								
PRIVATE SECTOR MUNICIPALITY TOTAL	61	481	527	500	496	497	\$531	\$27,587
LOCAL GOVT MUNICIPALITY TOTAL	3	186	187	162	180	167	\$758	\$39,428

Source: New Jersey Department of Labor and Workforce Development, Employment and Wage Data, Municipal Annual Reports, 2003.

V. MUNICIPAL HOUSING OBLIGATION

The Council on Affordable Housing has determined Eastampton's Third Round fair share obligation which is the sum of the rehabilitation share, prior round obligation and growth share. Using Appendix B, Eastampton's rehabilitation share is 17. Using Appendix C, their prior round obligation is 49, and using Appendix D, the projected growth share is 73 (42.2 residential and 30.81 non residential). The Township's State of New Jersey, Department of Community Affairs, Council on Affordable Housing Petition Application is included in Appendix A. The Petition Application further addresses the Township's obligation and the measures to meet the obligation. Workbook A is included in Appendix B. The Rehabilitation Program checklist is included in Appendix C.

VI. AFFORDABLE HOUSING-PAST AND CURRENT

Eastampton Township's Fair Share of affordable housing was originally determined in 1985 to be between 178 and 190 units. In May, 1986, the Council on Affordable Housing (COAH) issued its first round of fair share numbers for the years 1987 to 1993. The Township's fair share through 1993 was determined to be only 32 units. In October, 1993, COAH issued new fair share numbers covering a twelve year period from 1987 through 1999. This set of numbers assigned the Township a fair share of 65 units. In 1988, the Superior Court determined, under a "builders remedy" suit, that the Township's obligation was 70 units. On July 5, 2001, a "Report of the Special Master, Toll Brothers/Rancocas Investments vs. Township of Eastampton, et als. Docket No. L-020502-83" (Special Master Report) further determined the Township's fair share. To summarize, the complex issue was to determine if a proposed development by Pennrose Properties of 100 units of low income family rental housing on a portion of land owned by Rancocas Investments presented a realistic opportunity to satisfy Eastampton's Court mandated fair share of low and moderate income housing. The report concluded that the project does satisfy the Township's obligations under Mount Laurel II, subject to certain conditions. The 100 units were determined to more than satisfy the Township's current fair share obligation, previously determined by the Court to be 70 units (and determined by COAH's cumulative fair share obligation for the 12 year period from 1987 to 1999 that was 65 units). The 100 units were determined to also address a future fair share obligation. Since the units will be rental and will be family units, as opposed to age-restricted units, the Township will be able to access bonus credits as well as the credits for the excess units against its next fair share allocation. COAH currently requires that 25 percent of a community's new construction (inclusionary) component of its fair share obligation be met through rental housing and permits a two for one rental bonus credit for each unit of family rental housing provided up to a maximum rental obligation. The Township subsequently adopted an Affordable Housing Ordinance and an Affirmative Marketing Plan to establish the mechanisms and criteria for the regulation of the marketing, occupancy and affordability of the 100 units. All 100 units have been constructed and are occupied.

VII. SUMMARY OF PROJECTS AND OBLIGATION

A. COAH Income Limits

The New Jersey Council on Affordable Housing's most current regional income limits for 2008 are shown in Appendix D.

B. Methods to Develop Affordable Housing

The Council on Affordable Housing has a number of different provisions regulating the development of affordable housing. A number of the provisions are new to the third round. Options available include the following:

Third Round COAH Options for Affordable Housing

- Rehabilitation of substandard units
- ECHO Units
- Zoning for Inclusionary Development
- Status of Sites Addressing the 1987 through 1999 Obligation
- Redevelopmnet
- Municipally Sponsored and 100 Percent Affordable Developments
- Accessory Apartment Program
- Market to Affordable Program
- Supportive and Special Needs Housing
- Assisted Living Residence
- Regional Contribution Agreement
- Affordable Housing Partnership Program
- Extension of Expiring Controls
- Other Innovative Approaches

C. Eastampton Status

Eastampton had a Prior Round Obligation of 49 with a rental obligation of 12.25. This reduced the obligation to 37 with a 12 unit rental bonus, leaving 63 of the 100 family rentals in the Pennrose Development. The Growth Share Obligation is 73 (42 residential units and 31 non-residential units) with a rental obligation of 18.25. From the 100 unit Pennrose Development, of which 63 units remain for credit, 73 are subtracted for the growth share but 18.25 are added back in as bonus credits leaving a surplus of 8 units for Round Three. Eastampton has therefore met its prior round and growth share obligation, however, the rehabilitation obligation of 17 remains to be met.

D. Rehabilitation of Substandard Units

COAH has determined Eastampton's rehabilitation share is 17 units. To meet this need, the Township has contacted Burlington County for assistance in meeting rehabilitation needs through the Community Development Block Grant Program. In addition, the Township will utilize funds from the Housing Trust Fund to rehabilitate units.

The following requirements shall apply to the Township's rehabilitation program:

1. Upon rehabilitation, housing deficiencies shall be corrected and the unit shall comply with the New Jersey State Housing Code, N.J.A.C. 5:28. For construction projects that require the issuance of a construction permit pursuant to the Uniform Construction Code, the unit must also comply with the requirements of the Rehabilitation Subcode, N.J.A.C. 5:23-6. In these instances, the more restrictive requirements of the New Jersey State Housing Code or the Rehabilitation Subcode shall apply. For projects that require construction permits, the rehabilitated unit shall be considered complete at the date of final approval pursuant to the Uniform Construction Code.
2. Municipal rehabilitation investment for hard costs shall average at least \$10,000 per unit, and include the rehabilitation of a major system. If the rehabilitation program is funded by an affordable housing trust fund, administrative costs shall be limited by the provisions of N.J.A.C. 5:97-8.9.
3. Municipalities shall provide sufficient dollars to fund no less than half of the municipal rehabilitation component by the mid-point of substantive certification.
4. Financing of rehabilitation programs shall be structured to encourage rehabilitation and continued occupancy. Low interest rates and forgivable loans are encouraged. Leveraging of private financing is also encouraged if the result is low interest loans that encourage rehabilitation. If an owner-occupied housing unit is sold prior to the end of the controls on affordability, at least part of the loan shall be recaptured and used to rehabilitate another housing unit, unless the unit is sold to a low- or moderate-income household at an affordable price pursuant to N.J.A.C. 5:97-9.
5. If the municipality structures a loan program to recapture funds, recaptured funds shall be deposited into an affordable housing trust fund pursuant to N.J.A.C. 5:97-8.6 and subject to the provisions thereof.
6. A municipal rehabilitation program shall provide for the rehabilitation of rental units. If a municipality participates in a County rehabilitation program that is solely for owner occupied units, the municipality shall establish a rehabilitation program for rental units.
7. Pursuant to N.J.A.C. 5:97-4.3, units that are eligible to receive new construction credit may be used to address a municipal rehabilitation share.

Units in a rehabilitation program shall be exempt from N.J.A.C. 5:97-9 and UHAC, but shall be administered in accordance with the following:

1. For owner-occupied units, the controls on affordability shall be for a minimum of 10 years and may be in the form of a lien recorded with the county clerk.
2. For rental units, the controls on affordability shall be for a minimum of 10 years and in the form of a deed restriction and may also include a lien, each recorded with the county clerk.

i. If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low- or moderate-income household at an affordable rent and affirmatively marketed pursuant to N.J.A.C. 5:97-9 and UHAC.

ii. If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to N.J.A.C. 5:97-9 and UHAC.

iii. Rents in rehabilitated units may increase annually based on the standards in N.J.A.C. 5:97-9.

3. Applicant and/or tenant households shall be certified as income-eligible in accordance with N.J.A.C. 5:97-9 and UHAC, except that households in owner occupied units shall be exempt from the regional asset limit.

4. The municipality shall demonstrate the capability to administer the program by designating an experienced administrative agent in accordance with N.J.A.C. 5:96-18.

The following minimum documentation, as detailed further in a checklist provided by the Council, shall be submitted by the municipality with its petition for substantive certification:

1. Information regarding the rehabilitation program on forms provided by the Council;
2. Documentation demonstrating the source(s) of funding;
3. A municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds; and
4. A schedule illustrating how the rehabilitation share shall be addressed within the period of substantive certification;

The following minimum documentation, as detailed further in a checklist provided by the Council, shall be submitted by the municipality prior to the grant of substantive certification:

1. A draft or adopted rehabilitation manual that includes a description of the program procedures and administration in accordance with this section;
2. An affirmative marketing plan for the re-rental of rehabilitated rental units, in accordance with UHAC; and
3. Designation of an experienced administrative agent, including a statement of his or her qualifications, in accordance with N.J.A.C. 5:96-18.

The administrator of the rehabilitation program shall maintain files on each program applicant. The files may be used in responding to monitoring requests and periodic

programmatic and fiscal audits conducted by the Council, and to protect the municipality against charges of irregularity. The files shall include, at a minimum:

1. An application, including the name and address of each applicant;
2. If the applicant is not approved, the reasons for the disapproval; and
3. If the applicant is approved:
 - i. Proof of income eligibility;
 - ii. A copy of the deed of the property to be rehabilitated;
 - iii. Proof of homeowner insurance;
 - iv. Proof that the applicant's income is sufficient to meet the carrying costs of the unit;
 - v. Proof that the municipal lien plus the total of other liens does not exceed the market value of the unit;
 - vi. The initial inspection by the building inspector, demonstrating that the structure is a deficient unit;
 - vii. The work write-up and cost estimate;
 - viii. Bids by contractors, a minimum of three bids;
 - ix. The final contract to do the work;
 - x. The payment schedule;
 - xi. Progress inspections and reports;
 - xii. Change orders;
 - xiii. A copy of the final inspection;
 - xiv. The lien and/or deed on the property; and
 - xv. A copy of the mortgage note.

A municipality receiving State aid pursuant to P.L. 1978, c. 14 (N.J.S.A. 52:27D-178 et seq.) may seek a waiver from addressing its entire rehabilitation component in one 10-year period of substantive certification. A municipality seeking such a waiver shall demonstrate that it cannot rehabilitate the entire rehabilitation component in 10 years and/or that an extraordinary hardship exists, related to addressing the entire rehabilitation component in 10 years.

E. Measures to Address and Monitor Future Growth Share

Eastampton intends to address future growth share obligations with adoption of the Developer's Fee Ordinance in accordance with COAH models.

The township intends to monitor present and prospective fair share housing for low and moderate income housing and analyze how existing and proposed changes in zoning will provide adequate capacity to accommodate residential and non-residential growth projections. The analysis will include the following:

- The availability of existing and planned infrastructure
- The anticipated demand for the types of uses permitted by zoning based on present and anticipated future demographic characteristics of the municipality
- Anticipated land use patterns
- Municipal economic development policies

- Constraints on development including State and Federal regulations, land ownership patterns, presence of incompatible land uses or sites needing remediation and environmental constraints and
- Existing or planned measures to address these constraints.

The plan will include a consideration of lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or for rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

Appendices follow which include Resolutions and Ordinances that have been passed or samples of Ordinances or Agreements which may be passed.

APPENDIX A
PETITION APPLICATION

APPENDIX B
WORKSHEET A

Workbook A: Growth Share Determination Using Published Data

(Using Appendix F(2), *Allocating Growth To Municipalities*)

COAH Growth Projections

Must be used in all submissions

Municipality Name:

Eastampton Township

Enter the COAH generated growth projections from Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated. Use these figures in the Application for Substantive Certification.

	Residential	Non-Residential
1 Enter Growth Projections From Appendix F(2) *	211	493
2 Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab	Click Here to enter Prior Round Exclusions	
built or projected to be built post 1/1/04		
Inclusionary Development	0	
Supportive/Special Needs Housing	0	
Accessory Apartments	0	
Municipally Sponsored or 100% Affordable	0	
Assisted Living	0	
Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	0	
3 Subtract the following Non-Residential Exclusions (5:97-2.4(b))		
Affordable units	0	
Associated Jobs		0
4 Net Growth Projection	211	493
5 Projected Growth Share (Conversion to Affordable Units Dividing Households by 5 and Jobs by 16)	42.20 Affordable Units	30.81 Affordable Units
6 Total Projected Growth Share Obligation		73 Affordable Units

* For residential growth, see Appendix F(2), Figure A.1, Housing Units by Municipality. For non-residential growth, see Appendix F(2), Figure A.2, Employment by Municipality.

APPENDIX C
REHABILITATION PROGRAM

REHABILITATION PROGRAM (N.J.A.C. 5:97-6.2)

General Description

Municipality/County: Eastampton Township, Burlington county, NJ

Program Name: Township and/or County Program

Number of proposed units to be rehabilitated: 17

Information and Documentation Required with Petition

- ☐ Determination of Rehabilitation Share
- ☒ Accept number in N.J.A.C. 5:97 – Appendix B; **OR**
- ☐ Exterior Housing Survey conducted by the municipality
- ☐ Information regarding the rehabilitation program on forms provided by the Council. (If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)
- ☒ Documentation demonstrating the source(s) of funding
- ☒ Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall
- ☐ Schedule illustrating how the rehabilitation share will be addressed within the period of substantive certification

Information and Documentation Required Prior to Substantive Certification

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Draft or adopted rehabilitation operating manual that includes a description of the program procedures and administration including a copy of sample deed restriction and/or lien.
- ☐ Affirmative Marketing Plan for the re-rental of rehabilitated rental units, in accordance with UHAC

Rehabilitation Narrative Section

APPENDIX D

2008 REGIONAL INCOME LIMITS

**COUNCIL ON AFFORDABLE HOUSING (COAH)
2008 REGIONAL INCOME LIMITS**

		1 Person	*1.5 Person	2 Person	*3 Person	4 Person	*4.5 Person	5 Person	6 Person	7 Person	8 Person	Max. Increase** <i>Rents/Sales</i>	Regional Asset Limit***
Region 1 Bergen, Hudson, Passaic and Sussex	Median	\$53,950	\$57,804	\$61,658	\$69,365	\$77,072	\$80,155	\$83,238	\$89,404	\$95,569	\$101,735		
	Moderate	\$43,160	\$46,243	\$49,326	\$55,492	\$61,658	\$64,124	\$66,590	\$71,523	\$76,455	\$81,388		
	Low	\$26,975	\$28,902	\$30,829	\$34,682	\$38,536	\$40,077	\$41,619	\$44,702	\$47,785	\$50,868	3.00%	\$149,034
	Very Low	\$16,185	\$17,341	\$18,497	\$20,809	\$23,122	\$24,046	\$24,971	\$26,821	\$28,671	\$30,521		
Region 2 Essex, Morris, Union and Warren	Median	\$58,640	\$62,828	\$67,017	\$75,394	\$83,771	\$87,122	\$90,473	\$97,174	\$103,876	\$110,578		
	Moderate	\$46,912	\$50,263	\$53,613	\$60,315	\$67,017	\$69,697	\$72,378	\$77,739	\$83,101	\$88,462		
	Low	\$29,320	\$31,414	\$33,508	\$37,697	\$41,886	\$43,561	\$45,236	\$48,587	\$51,938	\$55,289	3.00%	\$160,715
	Very Low	\$17,592	\$18,848	\$20,105	\$22,618	\$25,131	\$26,137	\$27,142	\$29,152	\$31,163	\$33,173		
Region 3 Hunterdon, Middlesex and Somerset	Median	\$67,690	\$72,525	\$77,360	\$87,030	\$96,700	\$100,568	\$104,436	\$112,172	\$119,908	\$127,644		
	Moderate	\$54,152	\$58,020	\$61,888	\$69,624	\$77,360	\$80,454	\$83,549	\$89,738	\$95,926	\$102,115		
	Low	\$33,845	\$36,263	\$38,680	\$43,515	\$48,350	\$50,284	\$52,218	\$56,086	\$59,954	\$63,822	3.00%	\$184,132
	Very Low	\$20,307	\$21,758	\$23,208	\$26,109	\$29,010	\$30,170	\$31,331	\$33,652	\$35,972	\$38,293		
Region 4 Mercer, Monmouth and Ocean	Median	\$59,196	\$63,425	\$67,653	\$76,109	\$84,566	\$87,949	\$91,331	\$98,097	\$104,862	\$111,627		
	Moderate	\$47,357	\$50,740	\$54,122	\$60,888	\$67,653	\$70,359	\$73,065	\$78,477	\$83,889	\$89,302		
	Low	\$29,598	\$31,712	\$33,826	\$38,055	\$42,283	\$43,974	\$45,666	\$49,048	\$52,431	\$55,814	3.00%	\$159,071
	Very Low	\$17,759	\$19,027	\$20,296	\$22,833	\$25,370	\$26,385	\$27,399	\$29,429	\$31,459	\$33,488		
Region 5 Burlington, Camden and Gloucester	Median	\$52,010	\$55,725	\$59,440	\$66,870	\$74,300	\$77,272	\$80,244	\$86,188	\$92,132	\$98,076		
	Moderate	\$41,608	\$44,580	\$47,552	\$53,496	\$59,440	\$61,818	\$64,195	\$68,950	\$73,706	\$78,461		
	Low	\$26,005	\$27,863	\$29,720	\$33,435	\$37,150	\$38,636	\$40,122	\$43,094	\$46,066	\$49,038	3.00%	\$137,699
	Very Low	\$15,603	\$16,718	\$17,832	\$20,051	\$22,290	\$23,182	\$24,073	\$25,856	\$27,640	\$29,423		
Region 6 Atlantic, Cape May, Cumberland and Salem	Median	\$45,355	\$48,595	\$51,834	\$58,314	\$64,793	\$67,385	\$69,976	\$75,160	\$80,343	\$85,527		
	Moderate	\$36,284	\$38,876	\$41,468	\$46,651	\$51,834	\$53,908	\$55,981	\$60,128	\$64,275	\$68,421		
	Low	\$22,678	\$24,297	\$25,917	\$29,157	\$32,397	\$33,692	\$34,988	\$37,580	\$40,172	\$42,763	3.00%	\$121,348
	Very Low	\$13,607	\$14,578	\$15,550	\$17,494	\$19,438	\$20,215	\$20,993	\$22,548	\$24,103	\$25,658		

*These columns are for calculating the pricing for one, two and three bedroom sale and rental units as per N.J.A.C. 5:80-26.6(b) and N.J.A.C. 5:80-26.12(a).

**This column is used for calculating the pricing for resale and rent increases for units as per N.J.A.C. 5:94-7.2(b)2. Affordable prices and rents may be raised a maximum of 3.0 percent, based on the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI), United States, All Urban Consumers Housing. However, low income tax credit developments may increase based on the low income tax credit regulations.

***The Regional Asset Limit is used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3.

(Moderate income is between 80 and 50 percent of the median income. Low income is 50 percent or less of median income. Very low income is 30 percent or less of median income.)

APPENDIX E

***PLANNING BOARD RESOLUTION ADOPTING THE HOUSING ELEMENT AND FAIR
SHARE PLAN***

RESOLUTION R2008-109

**TOWNSHIP OF EASTAMPTON
BURLINGTON COUNTY**

**RESOLUTION OF THE TOWNSHIP OF EASTAMPTON PETITIONING THE
COUNCIL ON AFFORDABLE HOUSING WITH AN ADOPTED HOUSING ELEMENT
AND FAIR SHARE PLAN**

WHEREAS, the Land Use Planning Board of the Township of Eastampton, Burlington County, State of New Jersey, adopted the Housing Element of the Master Plan and Fair Share Plan on December 1, 2008; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element and Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and


NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Eastampton, Burlington County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Eastampton Township Land Use Planning Board; and

BE IT FURTHER RESOLVED that the Township Council of Eastampton Township, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Eastampton Township municipal clerk's office located at 12 Manor House Court, Eastampton, New Jersey, during the hours of 8:30 a.m. to 4:30 p.m. on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Eastampton Township Council at a meeting held on December 8, 2008.


KIM-MARIE WHITE
Municipal Clerk

Draft #1
12.091.08

Land Use Planning Board of the
Township of Eastampton

RESOLUTION # *20*-2008



RESOLUTION APPROVING THE EASTAMPTON
TOWNSHIP MASTER PLAN HOUSING ELEMENT AND
FAIR SHARE PLAN DATED NOVEMBER 2008
PREPARED BY BARBARA J. FEGLEY, AICP, PP OF
ENVIRONMENTAL RESOLUTIONS, INC

BE IT RESOLVED by the Township of Eastampton Land Use Planning Board in the County of Burlington and State of New Jersey that the Eastampton Township Master Plan Housing Element and Fair Share Plan dated November 2008 prepared by Barbara J. Fegley, AICP, PP, of Environmental Resolutions, Inc., is approved and adopted after due notice and a public hearing held on December 1, 2008. The Board Secretary is requested to forward a copy of the Eastampton Township Master Plan Housing Element and Fair Share Plan and a copy of this Resolution to the County Planning Board in accordance with the requirements of law. Further, the Board Secretary is requested to forward a copy of the Eastampton Township Master Plan Housing Element and Fair Share Plan and this Resolution to the Township's Governing Body so that they may take to appropriate steps to implement its findings and provisions. set forth within the Report.

TOWNSHIP OF EASTAMPTON
LAND USE PLANNING BOARD

Dated: 12/1/08

By 

ATTEST:  
Date Approved: 12/1/18
Date Memorialized: 12/1/18

H:\MUN\EASTAMPTON\DOCS\LAND USE ELEMENT RES

APPENDIX F

***GOVERNING BODY RESOLUTION PETITIONING WITH AN ADOPTED HOUSING
ELEMENT AND FAIR SHARE PLAN***

RESOLUTION R2008-109

**TOWNSHIP OF EASTAMPTON
BURLINGTON COUNTY**

**RESOLUTION OF THE TOWNSHIP OF EASTAMPTON PETITIONING THE
COUNCIL ON AFFORDABLE HOUSING WITH AN ADOPTED HOUSING ELEMENT
AND FAIR SHARE PLAN**

WHEREAS, the Land Use Planning Board of the Township of Eastampton, Burlington County, State of New Jersey, adopted the Housing Element of the Master Plan and Fair Share Plan on December 1, 2008; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element and Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Eastampton, Burlington County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Eastampton Township Land Use Planning Board; and

BE IT FURTHER RESOLVED that the Township Council of Eastampton Township, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Eastampton Township municipal clerk's office located at 12 Manor House Court, Eastampton, New Jersey, during the hours of 8:30 a.m. to 4:30 p.m. on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Eastampton Township Council at a meeting held on December 8, 2008.


KIM-MARIE WHITE
Municipal Clerk

Draft #1
12.091.08

Land Use Planning Board of the
Township of Eastampton

RESOLUTION # *20*-2008

RESOLUTION APPROVING THE EASTAMPTON
TOWNSHIP MASTER PLAN HOUSING ELEMENT AND
FAIR SHARE PLAN DATED NOVEMBER 2008
PREPARED BY BARBARA J. FEGLEY, AICP, PP OF
ENVIRONMENTAL RESOLUTIONS, INC

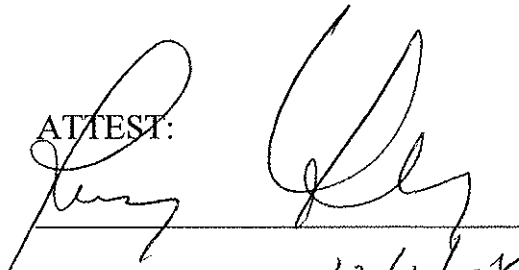
BE IT RESOLVED by the Township of Eastampton Land Use Planning Board in the County of Burlington and State of New Jersey that the Eastampton Township Master Plan Housing Element and Fair Share Plan dated November 2008 prepared by Barbara J. Fegley, AICP, PP, of Environmental Resolutions, Inc., is approved and adopted after due notice and a public hearing held on December 1, 2008. The Board Secretary is requested to forward a copy of the Eastampton Township Master Plan Housing Element and Fair Share Plan and a copy of this Resolution to the County Planning Board in accordance with the requirements of law. Further, the Board Secretary is requested to forward a copy of the Eastampton Township Master Plan Housing Element and Fair Share Plan and this Resolution to the Township's Governing Body so that they may take to appropriate steps to implement its findings and provisions. set forth within the Report.

TOWNSHIP OF EASTAMPTON
LAND USE PLANNING BOARD

Dated: 12/1/08

By 

ATTEST:

Two handwritten signatures in black ink, one on the left and one on the right, both appearing to be cursive and stylized.

Date Approved: 12/1/18

Date Memorialized: 12/1/18

H:\MUN\EASTAMPTON\DOCS\LAND USE ELEMENT RES

APPENDIX G

NOTICE OF PETITION FOR SUBSTANTIVE CERTIFICATION

Notice of Petition for Substantive Certification

NOTICE is hereby given that *[insert name of municipality]* has petitioned the New Jersey Council on Affordable Housing for Substantive Certification of its Housing Element and Fair Share Plan pursuant to N.J.S.A. 52:27D-301 et seq., N.J.A.C. 5:96 and N.J.A.C. 5:97. A copy of the adopted Housing Element and Fair Share Plan and supporting documentation is available for public inspection at the office of the *[insert title of municipal officer]*, Municipal Building, located at *[insert street address]*, during the hours of *[insert business hours]*. Comments or objections to said petition for Substantive Certification shall be filed with the New Jersey Council on Affordable Housing, 101 South Broad Street, PO Box 813, Trenton, New Jersey 08625-0813 and with the municipal clerk by *[insert date]* which is within 45 days of publication of this notice.

[insert name]
Municipal Clerk

APPENDIX H
DEVELOPMENT FEE ORDINANCE

DRAFT

EASTAMPTON TOWNSHIP DEVELOPMENT FEE ORDINANCE

1. Purpose

- a) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.
- b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.
- c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

2. Basic requirements

- a) This ordinance shall not be effective until approved by COAH pursuant to *N.J.A.C. 5:96-5.1*.
- b) Eastampton Township shall not spend development fees until COAH has approved a plan for spending such fees in conformance with *N.J.A.C. 5:97-8.10* and *N.J.A.C. 5:96-5.3*.

3. Definitions

- a) The following terms, as used in this ordinance, shall have the following meanings:
 - i. **“Affordable housing development”** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.
 - ii. **“COAH”** or the **“Council”** means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.
 - iii. **“Development fee”** means money paid by a developer for the improvement of property as permitted in *N.J.A.C. 5:97-8.3*.
 - iv. **“Developer”** means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
 - v. **“Equalized assessed value”** means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
 - vi. **“Green building strategies”** means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

4. Residential Development fees

- a) Imposed fees
 - i. Within the all zoning district(s), residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one and a half percent (1½%) of the equalized assessed value for residential development provided no increased density is permitted.
 - ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a “d” variance) has been permitted, developers may be required to pay a development fee of six percent (6%) of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has

changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one and a half percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

- b) Eligible exactions, ineligible exactions and exemptions for residential development
 - i. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
 - ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
 - iii. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
 - iv. Developers of residential structures demolished and replaced as a result of a natural disaster shall be exempt from paying a development fee.

5. Non-residential Development fees

a) Imposed fees

- i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
- ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
- iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

b) Eligible exactions, ineligible exactions and exemptions for non-residential development

- i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
- ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
- iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.
- iii. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.

- iv. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by Eastampton Township as a lien against the real property of the owner.

6. Collection procedures

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The Developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g) Should Eastampton Township fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).

- h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
- i) Appeal of development fees
 - 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Eastampton Township. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
 - 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Eastampton Township. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

7. Affordable Housing trust fund

- a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Chief Financial Officer for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - 1. payments in lieu of on-site construction of affordable units;
 - 2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
 - 3. rental income from municipally operated units;
 - 4. repayments from affordable housing program loans;
 - 5. recapture funds;
 - 6. proceeds from the sale of affordable units; and
 - 7. any other funds collected in connection with Eastampton's affordable housing program.
- c) Within seven days from the opening of the trust fund account, Eastampton Township shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, Beneficial Bank , and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).
- d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

8 Use of funds

- a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the Eastampton Township's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to:
 - i. preservation or purchase of housing for the purpose of maintaining or implementing affordability controls,
 - ii. rehabilitation,
 - iii. new construction of affordable housing units and related costs,
 - iv. accessory apartment,
 - v. market to affordable,
 - vi. or regional housing partnership programs,
 - vii. conversion of existing non-residential buildings to create new affordable units,
 - viii. green building strategies designed to be cost saving and in accordance with accepted national or state standards,
 - ix. purchase of land for affordable housing,
 - x. improvement of land to be used for affordable housing,
 - xi. extensions or improvements of roads and infrastructure to affordable housing sites,
 - xii. financial assistance designed to increase affordability,
 - xiii. administration necessary for implementation of the Housing Element and Fair Share Plan, or
 - xiv. any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.
- b) Funds shall not be expended to reimburse Eastampton Township for past housing activities.

- c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.
 - i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.
 - ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income. The use of development fees in this manner may entitle *[insert name of municipality]* to bonus credits pursuant to N.J.A.C. 5:97-3.7.
 - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) Eastampton Township may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

9. Monitoring

- a) Eastampton Township shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with Eastampton Township's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

10. Ongoing collection of fees

- a) The ability for Eastampton Township to impose, collect and expend development fees shall expire with its substantive certification unless Eastampton Township has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance.

If Eastampton Township fails to renew its ability to impose and collect development fees prior to the expiration of substantive certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). Eastampton Township shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall Eastampton Township retroactively impose a development fee on such a development. Eastampton Township shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

APPENDIX I

*GOVERNING BODY RESOLUTION REQUESTING REVIEW AND APPROVAL OF
DEVELOPMENT FEE ORDINANCE*

RESOLUTION R2008-110

**TOWNSHIP OF EASTAMPTON
BURLINGTON TOWNSHIP**

**RESOLUTION REQUESTING REVIEW AND APPROVAL
OF DEVELOPMENT FEE ORDINANCE**

WHEREAS, the Township Council of the Township Eastampton, Burlington County is identified by the Council on Affordable Housing (“COAH”) as being within COAH’s jurisdiction ; and

WHEREAS, P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), permits municipalities that are under the jurisdiction of COAH or of a court of competent jurisdiction and that have a COAH-approved spending plan to impose and retain fees on residential and non-residential development; and

WHEREAS, subject to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), N.J.A.C. 5:97-8.3 permits a municipality to prepare and submit a development fee ordinance for review and approval by the Council on Affordable Housing (COAH) that is accompanied by and includes the following:

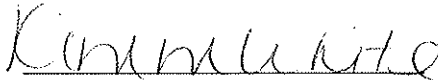
1. A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
2. A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e);
3. A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d);
4. A description of collection procedures per N.J.A.C. 5:97-8.3(f);
5. A description of development fee appeals per N.J.A.C. 5:97-8.3(g); and
6. A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h).

WHEREAS, Eastampton Township has prepared a draft development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees consistent with COAH’s regulations at N.J.A.C. 5:97-8 and in accordance with P.L.2008, c.46, Sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Eastampton, in the County of Burlington and State of New Jersey, as follows:

1. That the Township Council of Eastampton Township, Burlington County requests that COAH review and approve Eastampton Township's development fee ordinance.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Eastampton Township Council at a meeting held on December 8, 2008.


KIM-MARIE WHITE
Municipal Clerk

APPENDIX J

AFFORDABLE HOUSING TRUST FUND SPENDING PLAN

Council on Affordable Housing

Sample Affordable Housing Trust Fund Spending Plan

OVERVIEW

[This model Spending Plan reflects the latest amendments to COAH's rules. In addition to demonstrating how municipal affordable housing trust funds will be expended, the spending plan should be prepared together with the implementation schedule of the fair share plan. The spending plan will serve as the basis for demonstrating realistic opportunity of each proposed affordable housing option that relies on affordable housing trust funds as well as a basis for any affordable housing delivery mechanisms that are the subject of an implementation schedule. Another key provision in this update is the requirement to spend existing balances as of July 17, 2008 within four years of the date the municipality's spending plan is approved by COAH. To ensure timeliness of fund expenditures, there is a requirement to spend or contractually commit newly collected funds within three years from the calendar year in which those funds were collected. Proposed spending may be through a revolving loan, no-interest loans, forgivable loans, below-market loans, bridge loans, a hybrid loan and grant program, etc.]

*This document is organized into five sections that address the standard information required by N.J.A.C. 5:97-8.10. A process describing the collection and distribution procedures for barrier free escrow funds pursuant to N.J.A.C. 5:97-8.5 should be detailed separately within the municipality's Affordable Housing Ordinance. Please tailor this form to the individual municipality's circumstance(s) and provide or insert information where text is italicized and in brackets [thus]. Depending on when this spending plan is completed, the actual versus projected years will vary and should be adjusted accordingly. Instructions for completing this model document are bolded, italicized and in brackets **[thus]** and should be deleted from the final document submitted to COAH for approval.*

Please be aware that COAH staff will be utilizing the actual collections, expenditure and balances reported in the municipal affordable housing trust fund monitoring submitted to COAH via the Computer Tracking and Monitoring (CTM) system. The preparer is encouraged to collaborate with the municipal affordable housing trust fund report preparer to ensure consistency. Information about viewing municipal data in the CTM system is available on COAH's website at www.nj.gov/dca/coah/training.shtml.]

INTRODUCTION

[Insert name of municipality, county] has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). A development fee ordinance creating a dedicated revenue source for affordable housing was approved by COAH on *[insert date of approval]* and adopted by the municipality on *[insert date of adoption]*. The ordinance establishes the *[insert name of municipality]* affordable housing trust fund for which this spending plan is prepared.

As of July 17, 2008, *[insert name of municipality]* has collected \$ *[insert amount of revenue already collected]*, expended \$ *[insert amount of funds already expended]*, resulting in a balance of \$ *[insert balance as of July 17, 2008]*. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in *[insert name of bank]* for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

[If your municipality maintained an affordable housing trust fund as part of a previous third round petition under N.J.A.C. 5:94 or second round substantive certification, please complete the following section.]

[Insert name of municipality] first petitioned COAH for substantive certification on *[insert earliest date of previous second or third round petition]* and received prior approval to maintain an affordable housing trust fund on *[date COAH first approved a development fee ordinance]*. As of December 31, 2004, the prior round balance remaining in the affordable housing trust fund was \$ *[insert trust fund balance as of December 31, 2004]*. From January 1, 2005 through July 17, 2008, *[insert name of municipality]* collected an additional \$ *[insert total revenue]* in development fees, payments in lieu of construction, other funds, and/or interest. From January 1, 2005 through July 17, 2008, *[insert name of municipality]* expended funds on the affordable housing activities detailed in section 4 of this spending plan.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of third round substantive certification, *[insert name of municipality]* considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL):

Actual and committed payments in lieu (PIL) of construction from developers as follows:

[List affordable housing sites from inclusionary zone(s) where the developer(s) has made or committed to make a PIL along with the associated PIL amount(s). If payments in lieu have not been collected or assessed, so indicate. Please note that while all other fund sources include projected revenues, PIL funds are based only on actual revenues]

(c) Other funding sources:

Funds from other sources, including, but not limited to, the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, proceeds from the sale of affordable units and *[insert name of other fund(s)]*. *[If no other funds have been or are anticipated to be collected, so indicate.]*

(d) Projected interest:

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate.

[Provide a breakdown by year for all sources of funds collected and/or anticipated during the substantive certification period. COAH will substitute actual revenue for the period between the preparation of this spending plan and COAH's approval, as entered by the municipality in the CTM system. Use and submit additional spreadsheet(s) as necessary. A sample spreadsheet format is provided below.]

SOURCE OF FUNDS	PROJECTED REVENUES-HOUSING TRUST FUND - 2008 THROUGH 2018										
	7/18/08 Through 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018 Total
(a) Development fees:											
1. Approved Development											
2. Development Pending Approval											
3. Projected Development											
(b) Payments in Lieu of Construction											
(c) Other Funds (Specify source(s))											
(d) Interest											
Total											

[Insert name of municipality] projects a total of \$ *[insert total of all revenue listed above]* in revenue to be collected between July 18, 2008 and December 31, 2018. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by *[insert name of municipality]*:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with *[insert municipality]*'s development fee ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

[Provide a brief explanation of local procedures for distributing the municipality's affordable housing trust funds.]

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)**

[Insert name of municipality] will dedicate \$ *[insert amount of revenue to be dedicated]* to rehabilitation or new construction programs (see detailed descriptions in Fair Share Plan) as follows:

Rehabilitation program: \$ *[insert amount of revenues to be expended]*

New construction project(s): \$ *[insert amount of revenues to be expended, by project and total; individually list programs and projects e.g. for-sale and rental municipally sponsored, accessory apartments, etc.]*

(b) **Affordability Assistance (N.J.A.C. 5:97-8.8)**

[Municipalities are required to spend a minimum of 30 percent of development fee revenue to render existing affordable units more affordable and one-third of that amount must be dedicated to very low-income households (i.e. households earning less than 30 percent of the regional median income). Utilize the formulae below to project the minimum affordability assistance requirements. The actual affordability assistance minimums are calculated on an ongoing basis in the CTM system based on actual revenues.]

To initially project a funding amount that will be dedicated to affordability assistance, first subtract actual expenditures on all new construction, previously funded regional contribution agreements and rehabilitation activities from inception of the fund

through June 2, 2008 from the sum of actual and projected development fees and interest through December 31, 2018. Multiply this amount by 30 percent and then subtract actual affordability assistance expenditures from inception of the fund through December 31, 2004 from the result. The outcome of this calculation will be the total remaining funds that must be dedicated to affordability assistance for the period January 1, 2005 through December 31, 2018.

To initially project a funding amount that will be dedicated to affordability assistance for very low-income households, divide the affordability assistance figure derived from the above paragraph by three. The outcome of this calculation will be the total remaining funds that must be dedicated to very low-income affordability assistance for the period January 1, 2005 through December 31, 2018. Municipalities will receive credit against this projected minimum for affordability assistance activity from January 1, 2005 to the present.]

Projected minimum affordability assistance requirement:

Actual development fees through 7/17/2008		\$
Actual interest earned through 7/17/2008	+	\$
Development fees projected* 2008-2018	+	\$
Interest projected* 2008-2018	+	\$
Less housing activity expenditures through 6/2/2008	-	\$
Total	=	
30 percent requirement	x 0.30 =	\$
Less Affordability assistance expenditures through 12/31/2004	-	\$
PROJECTED MINIMUM Affordability Assistance Requirement 1/1/2005 through 12/31/2018	=	\$
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2005 through 12/31/2018	÷ 3 =	\$

* Note: The 2008 portion of this projection reflects 2008 subsequent to July 17 as the remainder of 2008 is included in the actual figure reported above.

[Insert name of municipality] will dedicate \$ [insert amount of revenues to be dedicated] from the affordable housing trust fund to render units more affordable, including \$ [insert amount of revenue to be dedicated] to render units more affordable to households earning 30 percent or less of median income by region, as follows:

[List affordability assistance programs such as down-payment assistance, rental assistance, converting low-income units to very-low-income units, etc.]

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

[Municipalities are permitted to use affordable housing trust fund revenue for related administrative costs up to a 20 percent limitation pending funding availability after

programmatic and affordability assistance expenditures. The actual administrative expense maximum is calculated on an ongoing basis in the CTM system based on actual revenues.

To initially project a funding amount that will be available for administrative costs, sum all development fees actually collected since the inception of the account and all actual interest earned since the inception of the account with all projected development fees and interest projected to be collected through December 31, 2018. To this amount, add all payments in lieu of constructing affordable units and other account deposits from the inception of the account through July 17, 2008. From this total amount, subtract RCA expenditures made or contractually obligated from the inception of the account through December 31, 2018. Multiply this amount by 20 percent and then subtract actual administrative expenditures made from the inception of the account through December 31, 2004. The outcome of this calculation will be the total remaining funds that will be available to defray administrative expenses for the period January 1, 2005 through December 31, 2018.]

[Insert name of municipality] projects that \$[insert projected amount of revenue available] will be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

[Provide detailed description]

4. EXPENDITURE SCHEDULE

[Insert name of municipality] intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units. Where applicable, the creation/rehabilitation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

[In developing this spending plan, it is important to note that all funds in the municipal trust fund as of July 17, 2008 must be fully expended or committed to be expended within four years of COAH's approval of the spending plan.]

[A sample spreadsheet format is provided below.]

5. EXCESS OR SHORTFALL OF FUNDS

Pursuant to the Housing Element and Fair Share Plan, the governing body of *[insert name of municipality]* has adopted a resolution agreeing to fund any shortfall of funds required for implementing *[insert types of housing programs]*. In the event that a shortfall of anticipated revenues occurs, *[insert name of municipality]* will *[describe method of handling the shortfall of funds such as a resolution of intent to bond]*. A copy of the adopted resolution is attached.

[COAH requires a municipality to pass a resolution of intent to bond or a resolution appropriating funds from general revenue for any unanticipated shortfall in a municipal rehabilitation program or municipal construction project.]

In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used to *[describe type of housing activities]*.

6. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with *[insert municipality]*'s Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

[Reference section of Affordable Housing Ordinance that explains the collection and distribution of barrier free funds.]

SUMMARY

[Insert name of municipality] intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the housing element and fair share plan dated *[insert date]*.

[Insert name of municipality] has a balance of \$ *[insert balance]* as of July 17, 2008 and anticipates an additional \$ *[insert total projected revenue]* in revenues before the expiration of substantive certification for a total of \$*[insert total of balance and projections]*. The municipality will dedicate \$ *[insert amount of revenue for housing activities]* towards *[insert types of housing programs]*, \$ *[insert amount of revenue for affordability assistance]* to render units more affordable, and \$*[insert amount of revenue for administrative costs]* to administrative costs. Any shortfall of funds will be offset by *[insert source of funds]*. The municipality will dedicate any excess funds toward *[insert types of housing programs]*.

SPENDING PLAN SUMMARY		
Balance as of July 17, 2008		\$
PROJECTED REVENUE July 18, 2008-2018		
Development fees	+	\$
Payments in lieu of construction	+	\$
Other funds	+	\$
Interest	+	\$
TOTAL REVENUE = \$		
EXPENDITURES		
Funds used for Rehabilitation	-	\$
Funds used for New Construction		
1. <i>[list individual projects/programs]</i>	-	\$
2.	-	\$
3.	-	\$
4.	-	\$
5.	-	\$
6.	-	\$
7.	-	\$
8.	-	\$
9.	-	\$
10.	-	\$
Affordability Assistance	-	\$
Administration	-	\$
Excess Funds for Additional Housing Activity	=	\$
1. <i>[list individual projects/programs]</i>	-	\$
2.	-	\$
3.	-	\$
TOTAL PROJECTED EXPENDITURES	=	\$
REMAINING BALANCE	=	\$0.00

APPENDIX K

***GOVERNING BODY RESOLUTION REQUESTING REVIEW AND APPROVAL OF A
MUNICIPAL AFFORDABLE HOUSING TRUST FUND SPENDING PLAN***

Council on Affordable Housing

Governing Body Resolution Requesting Review and Approval of a Municipal Affordable Housing Trust Fund Spending Plan

[select only one of the following:]

WHEREAS, the Governing Body of *[insert name of municipality, county]* petitioned the Council on Affordable Housing (COAH) for substantive certification on *(insert date)*; and

OR

WHEREAS, *[insert name of municipality, county]* was granted substantive certification by the Council on Affordable Housing (COAH) on *(insert date)*; and

WHEREAS, *[insert name of municipality]* received approval from COAH on *[insert date]* of its development fee ordinance; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and/or *[insert any other funds collected in connection with your municipality's affordable housing program]*;

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;

5. A schedule for the expenditure of all affordable housing trust funds;
6. If applicable, a schedule for the creation or rehabilitation of housing units;
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend the trust fund balance as of July 17, 2008 within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council;
9. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period;
10. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
11. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, *[insert name of municipality]* has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

NOW THEREFORE BE IT RESOLVED that the Governing Body of *[insert name of municipality, county]* requests that COAH review and approve *[insert name of municipality]*'s spending plan.

[insert name]
Municipal Clerk

APPENDIX L

ESCROW AGREEMENT FOR HOUSING TRUST FUND

Escrow Agreement for Housing Trust Fund

NOTE: *In order for COAH to execute a three-party escrow agreement, the municipality must submit three copies of the agreement, all with original signatures from the municipal representative and the bank representative.*

This Escrow Agreement made this _____ day of [month], [year], by and between the Council on Affordable Housing (COAH) and [insert name of municipality] and [insert name of bank] (the Bank).

WHEREAS, a municipality may impose, collect and spend development fees and establish an affordable housing trust fund that includes, development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with [insert municipal name]'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq.; and

WHEREAS, on [insert date of approval] COAH approved the [insert name of municipality] Development Fee Ordinance establishing standards for the collection, maintenance and expenditure of development fees consistent with COAH's rules and P.L.2008, c.46 (C. 52:27D-329.1 et al) and requiring that funds shall only be applied directly toward implementation of [insert name of municipality]'s COAH-certified Fair Share Plan or Court Judgment of Compliance; and

WHEREAS, on [insert date] the governing body of [insert name of municipality] adopted Ordinance No. [insert number], the Development Fee Ordinance of [insert name of municipality], amending the Municipal Code; and

[Select one of the following two statements which pertains to your municipality.]

WHEREAS, on [insert date of approval] COAH approved the [insert name of municipality] Spending Plan establishing standards for the expenditure of development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with [insert municipal name]'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq.; and

[or]

WHEREAS, COAH has not yet approved a spending plan for *[insert name of municipality]*, *[insert name of municipality]* acknowledges that no expenditure of development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. may occur prior to COAH's approval of a spending plan; and

WHEREAS, the Development Fee Ordinance requires an interest-bearing housing trust fund to be established for the purpose of receiving collected development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. and provides that no money shall be expended from the housing trust fund unless the expenditure conforms to the Development Fee Ordinance, a spending plan approved by COAH and the conditions set out at N.J.A.C. 5:97-8.7-8.9; and

WHEREAS, COAH's approval of the Development Fee Ordinance further requires *[insert name of municipality]*, within seven days of opening the trust fund account authorized by the ordinance, to enter into an escrow agreement with COAH pursuant to N.J.A.C. 5:97-8.2(a) to enable COAH to monitor disbursement of collected development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. and to direct the forfeiture of such funds after proper notice if their imposition, collection and/or expenditure are not in conformance with the terms of the approved Development Fee Ordinance, the conditions set out at N.J.A.C. 5:97-8.13(a), the spending plan approved by COAH, and P.L.2008, c.46 (C. 52:27D-329.1 et al); and

WHEREAS, the Development Fee Ordinance further provides that if COAH determines that the imposition, collection, and/or expenditure of development fees are not in conformance with the terms of the approved Development Fee Ordinance, approved spending plan, and P.L.2008, c.46 (C. 52:27D-329.1 et al), COAH may, after a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., revoke a Development Fee Ordinance approval and direct the transfer of funds including future collection of non-residential development fees to the New Jersey Affordable Housing Trust Fund.

NOW THEREFORE, COAH, *[insert name of municipality]* and the Bank agree as follows:

1. Designation of Escrow Agent

COAH and *[insert name of municipality]* hereby designate *[insert name of bank]* (the Bank) as their escrow agent, upon terms and conditions set forth herein, for the purpose of (a) receiving development fees, payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. collected by *[insert name of municipality]*, (b) holding such sums in the escrow account hereinafter described, and (c) disbursing the monies upon the direction of the *[insert title of municipal officer]* of *[insert name of municipality]* consistent with the spending plan approved by COAH.

2. Escrow Account

[Insert name of municipality] shall deposit all development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. with the escrow agent and said escrow agent shall establish a separate, interest bearing account to be known as *[insert name of account]* (the Account) and shall deposit therein such initial funds, as well as all subsequent development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. received from *[insert name of municipality]*. At no time shall the escrow agent commingle the funds deposited in the Account with any other funds or accounts held or maintained by the escrow agent, nor shall the escrow agent at any time set off any amount on deposit in the Account against (a) any indebtedness owed to the escrow agent by *[insert name of municipality]* or any other party, (b) any other obligation owed to the escrow agent by *[insert name of municipality]* or any other party, or (c) any claim which the escrow agent may have against *[insert name of municipality]* or any other party.

3. Application of Amounts on Deposit

The funds in the Account shall only be used for eligible affordable housing activities of *[insert name of municipality]* as set forth in a spending plan approved by COAH. The Bank shall disburse funds in the Account upon the direction of the *[insert title of municipal officer]* of *[insert name of municipality]*, unless notified otherwise by COAH.

4. Cessation of Disbursements from Funds and Forfeiture of Funds to the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320)

COAH shall have the authority to halt disbursements by *[insert name of municipality]* from the Account upon written notice to the Bank and to direct all remaining funds to the New Jersey Affordable Housing Trust Fund. COAH shall have such authority if it determines, after notice to *[insert name of municipality]*, that the municipality is not in compliance with all conditions set out in N.J.A.C. 5:97-8.13(a), the Spending Plan and the Development Fee Ordinance. Upon receipt of written notice to cease disbursements from the Account, the Bank shall immediately halt disbursements by *[insert name of municipality]* until further written notice from COAH. The Bank shall allow the transfer of funds by COAH to the New Jersey Affordable Housing Trust Fund on behalf of *[insert name of municipality]*. COAH shall provide the *[insert name of municipality]* municipal clerk and chief financial officer with copies of all written notices.

In the event that any of the following conditions, as set out in N.J.A.C. 5:97-8.13(a) occur, COAH shall be authorized on behalf of *[insert name of municipality]* and consistent with its rules and P.L.2008, c.46 (C. 52:27D-329.1 et al), to transfer all development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq., to the New Jersey Affordable Housing Trust Fund :

- a. Failure to meet deadlines for information required by COAH in its review of a Housing Element and Fair Share Plan, development fee ordinance or plan for spending fees;
- b. Failure to address COAH's conditions for approval of a plan to spend development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program within the deadlines imposed by COAH;
- c. Failure to address COAH's conditions for substantive certification within deadlines imposed by COAH;
- d. Failure to submit accurate annual monitoring reports pursuant to N.J.A.C. 5:97-8.12(a) within the time limits imposed by COAH;

- e. Failure to implement the Spending Plan and expend the funds within the time schedules specified in the Spending Plan, including the requirement to spend the remaining trust fund balance pursuant to N.J.A.C. 5:97-8.10(a)8 and collected fees pursuant to P.L.2008, c.46 (C.52:27D-329.2(8.d) & C.52:27D-329.3(9.b)) within four years;
- f. Expenditure of development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program on activities not permitted by COAH;
- g. Revocation of certification; or
- h. Other good cause demonstrating that the revenues are not being used for the approved purpose.

5. Standard of Care; Indemnification

The Bank shall use reasonable care and due diligence in the performance of all of its duties hereunder. *[Insert name of municipality]* shall indemnify COAH and hold it harmless from and against all liabilities, losses or damages incurred under COAH with respect to any action COAH may take under this escrow agreement with the exception of liabilities, losses or damages solely caused by negligent acts, omissions, errors or willful misconduct by COAH.

6. Records and Accounts

The Bank shall keep accurate financial records and accounts of all transactions relating to the Account, including but not limited to all deposits to the Account, disbursements from the Account and interest earned on the Account which shall be made available for inspection by COAH and *[insert name of municipality]*, or their respective designees, at any reasonable time. *[Insert name of municipality]* shall provide COAH with reports on a quarterly basis, which set forth the amount, date and description of all activity from the Account as well as other information COAH may require to monitor the Account.

7. Notices

All notices, certificates or other communications hereunder shall be delivered by hand or mailed by certified mail to the parties at the following addresses:

- a. If to COAH: Executive Director
New Jersey Council on Affordable Housing
101 South Broad Street
PO Box 813
Trenton, NJ 08625-0813
- b. If to Municipality: Municipal Clerk and Chief Financial Officer
 [insert address]

c. If to Bank: [insert address]

Any of the parties may hereby designate different or additional addresses by notice in writing given to the other parties.

8. Further Assistance

The parties hereto shall authorize, execute, acknowledge and deliver such further resolutions, assurances and other instruments as may be necessary or desirable for better assuring, conveying, granting, assigning and confirming the rights and interests granted hereunder.

9. Agreement Subject to the Fair Housing Act

This agreement is subject to the Fair Housing Act, P.L.2008, c.46 (C. 52:27D-329.1 et al) and the rules of COAH set forth at N.J.A.C. 5:97-8.1 et seq., and nothing contained herein shall be interpreted to limit or restrict in any way the discretion and authority vested in COAH by the Act or rules.

10. Amendments

This agreement may not be amended, supplemented or modified except by a written instrument executed by all the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date set forth above.

Date *[insert name]*, on behalf of *[insert name of municipality]*

Date	Lucy Vandenberg, Executive Director on behalf of the New Jersey Council on Affordable Housing (COAH)
------	--

Date [insert name], on behalf of [insert name of bank]

APPENDIX M

***ESCROW AGREEMENT FOR AN ACCOUNT LINKED WITH THE STATE OF NEW JERSEY
CASH MANAGEMENT FUND***

Escrow Agreement for an Account Linked with the State of New Jersey Cash Management Fund

NOTE: *In order for COAH to execute a three-party escrow agreement, the municipality must submit three copies of the agreement, all with original signatures from the municipal representative and the bank representative.*

This Escrow Agreement made this _____ day of [month], [year], by and between the Council on Affordable Housing (COAH) and [insert name of municipality] and [insert name of bank] (the Bank).

WHEREAS, a municipality may impose, collect and spend development fees, and establish an affordable housing trust fund that includes, development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with [insert municipal name]'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq., and with the approval of COAH; and

WHEREAS, on [insert date of approval] COAH approved the [insert name of municipality] Development Fee Ordinance establishing standards for the collection, maintenance and expenditure of development fees consistent with COAH's rules and P.L.2008, c.46 (C. 52:27D-329.1 et al) and requiring that funds shall only be applied directly toward implementation of [insert name of municipality]'s COAH-certified Fair Share Plan or Court Judgment of Compliance; and

WHEREAS, on [insert date] the governing body of [insert name of municipality] adopted Ordinance #[insert number], the Development Fee Ordinance of [insert name of municipality], amending the Municipal Code; and

[Select one of the following two statements which pertains to your municipality.]

WHEREAS, on [insert date of approval] COAH approved the [insert name of municipality] Spending Plan establishing standards for the expenditure of development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with [insert municipal name]'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. pursuant to COAH's rules; and

[or]

WHEREAS, COAH has not yet approved a spending plan for [*insert name of municipality*], [*insert name of municipality*] acknowledges that no expenditure of development fees; payments from developers in lieu of constructing affordable units on-site, developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with [*insert municipal name*]'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. may occur prior to COAH's approval of a spending plan; and

WHEREAS, the Development Fee Ordinance requires an interest-bearing housing trust fund to be established for the purpose of receiving collected development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with [*insert municipal name*]'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. and provides that no money shall be expended from the housing trust fund unless the expenditure conforms to the Development Fee Ordinance, a spending plan approved by COAH and the conditions set out at N.J.A.C. 5:97-8.7-8.9; and

WHEREAS, COAH's approval of the Development Fee Ordinance further requires [*insert name of municipality*], within seven days of opening the trust fund account authorized by the ordinance, to enter into an escrow agreement with COAH pursuant to N.J.A.C. 5:97-8.2(a) to enable COAH to monitor disbursement of collected development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with [*insert municipal name*]'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. and to direct the forfeiture of such funds after proper notice if their imposition, collection and/or expenditure are not in conformance with the terms of the approved Development Fee Ordinance, the conditions set out at N.J.A.C. 5:97-8.13(a) and the spending plan approved by COAH; and

WHEREAS, the Development Fee Ordinance further provides that if COAH determines that the imposition, collection, and/or expenditure of development fees are not in conformance with the terms of the approved Development Fee Ordinance and approved spending plan, COAH may, after a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., revoke a Development Fee Ordinance approval.

NOW THEREFORE, COAH, [*insert name of municipality*] and the Bank agree as follows:

1. Designation of Escrow Agent

COAH and *[insert name of municipality]* hereby designate *[insert name of bank]* (the Bank) as their escrow agent, upon terms and conditions set forth herein, for the purpose of (a) receiving development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. collected by *[insert name of municipality]*, (b) holding such sums in the escrow account hereinafter described, (c) transferring funds between the escrow account and the State of New Jersey Cash Management Fund, and (d) disbursing the monies upon the direction of the *[insert title of municipal officer]* of *[insert name of municipality]* consistent with the spending plan approved by COAH.

2. Escrow Account

[Insert name of municipality] shall deposit all development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. with the escrow agent and said escrow agent shall establish a separate, interest bearing account to be known as *[insert name of account]* (the Account) and shall deposit therein such initial funds, as well as all subsequent development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq. received from *[insert name of municipality]*. The account shall be a linked account between *[insert name of municipality]* and the State of New Jersey Cash Management Fund. At no time shall the escrow agent co-mingle the funds deposited in the Account with any other funds or accounts held or maintained by the escrow agent, nor shall the escrow agent at any time set off any amount on deposit in the Account against (a) any indebtedness owed to the escrow agent by *[insert name of municipality]* or any other party, (b) any other obligation owed to the escrow agent by *[insert name of municipality]* or any other party, or (c) any claim which the escrow agent may have against *[insert name of municipality]* or any other party.

3. Application of Amounts on Deposit

The funds in the Account shall only be used for eligible affordable housing activities of *[insert name of municipality]* as set forth in a spending plan approved by COAH. The Bank shall disburse funds in the Account upon the direction of the *[insert title of municipal officer]* of *[insert name of municipality]*, unless notified otherwise by COAH.

4. Cessation of Disbursements from Funds and Forfeiture of Funds to the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320)

COAH shall have the authority to halt disbursements by *[insert name of municipality]* from the Account upon written notice to the Bank and to direct all remaining funds to the New Jersey Affordable Housing Trust Fund. COAH shall have such authority if it determines, after notice to *[insert name of municipality]*, that the municipality is not in compliance with all conditions set out in N.J.A.C. 5:97-8.13 (a), the Spending Plan and the Development Fee Ordinance. Upon receipt of written notice to cease disbursements from the Account, the Bank shall immediately halt disbursements by *[insert name of municipality]* until further written notice from COAH. The Bank shall allow the transfer of funds by COAH to the New Jersey Affordable Housing Trust Fund on behalf of *[insert name of municipality]*. COAH shall provide the *[insert name of municipality]* municipal clerk and chief financial officer with copies of all written notices.

In the event that any of the following conditions, as set out in N.J.A.C. 5:97-8.13(a) occur, COAH shall be authorized on behalf of *[insert name of municipality]* and consistent with its rules and P.L.2008, c.46 (C. 52:27D-329.1 et al), to transfer all development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program in accordance with P.L.2008, c.46 (C. 52:27D-329.1 et al) and the regulations of COAH at N.J.A.C. 5:97-8.1 et seq., to the New Jersey Affordable Housing Trust Fund shall be expended:

- a. Failure to meet deadlines for information required by COAH in its review of a Housing Element and Fair Share Plan, development fee ordinance or plan for spending fees;
- b. Failure to address COAH's conditions for approval of a plan to spend development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program within the deadlines imposed by COAH;
- c. Failure to address COAH's conditions for substantive certification within deadlines imposed by COAH;
- d. Failure to submit accurate annual monitoring reports pursuant to N.J.A.C. 5:97-8.12(a) within the time limits imposed by COAH;

- e. Failure to implement the Spending Plan and expend the funds within the time schedules specified in the Spending Plan, including the requirement to spend the remaining trust fund balance pursuant to N.J.A.C. 5:97-8.10(a)8 and collected fees pursuant to P.L.2008, c.46 (C.52:27D-329.2(8.d) & C.52:27D-329.3(9.b));
- f. Expenditure of development fees; payments from developers in lieu of constructing affordable units on-site; developer-contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible; rental income from municipally operated units; repayments from affordable housing program loans; recapture funds; proceeds from the sale of affordable units; and/or any other funds collected in connection with *[insert municipal name]*'s affordable housing program on activities not permitted by COAH;
- g. Revocation of certification; or
- h. Other good cause demonstrating that the revenues are not being used for the approved purpose.

5. Standard of Care; Indemnification

The Bank shall use reasonable care and due diligence in the performance of all of its duties hereunder. *[Insert name of municipality]* shall indemnify COAH and hold it harmless from and against all liabilities, losses or damages incurred under COAH with respect to any action COAH may take under this escrow agreement with the exception of liabilities, losses or damages solely caused by negligent acts, omissions, errors or willful misconduct by COAH.

6. Records and Accounts

The Bank shall keep accurate financial records and accounts of all transactions relating to the Account, including but not limited to all deposits to the Account, disbursements from the Account and interest earned on the Account which shall be made available for inspection by COAH and *[insert name of municipality]*, or their respective designees, at any reasonable time. *[Insert name of municipality]* shall provide COAH with reports on an annual basis, which set forth the amount, date and description of all activity from the Account as well as other information COAH may require to monitor the Account.

7. Notices

All notices, certificates or other communications hereunder shall be delivered by hand or mailed by certified mail to the parties at the following addresses:

- a. If to COAH: Executive Director
New Jersey Council on Affordable Housing
101 South Broad Street
PO Box 813
Trenton, NJ 08625-0813
- b. If to Municipality: Municipal Clerk and Chief Financial Officer
 [insert address]

c. If to Bank: [insert address]

Any of the parties may hereby designate different or additional addresses by notice in writing given to the other parties.

8. Further Assistance

The parties hereto shall authorize, execute, acknowledge and deliver such further resolutions, assurances and other instruments as may be necessary or desirable for better assuring, conveying, granting, assigning and confirming the rights and interests granted hereunder.

9. Agreement Subject to the Fair Housing Act

This agreement is subject to the Fair Housing Act and the rules of COAH set forth at N.J.A.C. 5:97-8.1 et seq., and nothing contained herein shall be interpreted to limit or restrict in any way the discretion and authority vested in COAH by the Act or rules.

10. Amendments

This agreement may not be amended, supplemented or modified except by a written instrument executed by all the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date set forth above.

Date

[insert name], on behalf of *[insert name of municipality]*

Date

Lucy Vandenberg, Executive Director
on behalf of the New Jersey Council
on Affordable Housing (COAH)

Date

[insert name], on behalf of *[insert name of bank]*

APPENDIX N

LOCAL AFFORDABILITY ASSISTANCE PROGRAMS: RENTAL UNITS

LOCAL AFFORDABILITY ASSISTANCE PROGRAMS: Rental Units

The plans described below are suggestions for affordability assistance programs. A municipality is free to develop different guidelines and program descriptions. All affordability assistance programs are subject to the review and approval of COAH.

Security Deposit Assistance

[Municipality] will designate [insert amount of funds from above] of its affordable housing trust fund as a revolving Security Deposit Assistance Fund. A [low interest, interest-free, etc] loan from the fund will be received by an income eligible renter with good credit standing who qualifies for a low- or moderate-income rental unit.

The security deposit assistance will be in the form of a cash loan equal to the security deposit amount determined by the landlord paid to the landlord on behalf of the tenant. [Optional: The loan will accrue interest at a below-market interest rate of five points below the prime rate at the time of the signing of the lease)].

At the termination of the lease, the landlord will return the portion of the security deposit it determines to [municipality] along with the interest earned. The tenant will repay any difference between the original security deposit amount and the portion returned by the landlord [Optional: as well as the interest accrued to the full loan amount] to [municipality]. Funds returned to the municipality will be placed in the affordable housing trust fund to be used for future security deposit assistance.

Rental Assistance

[Municipality] will designate [insert amount of funds from above] of its affordable housing trust fund as a Rental Assistance Fund. A rental supplement from the fund will be received by an income eligible renter with good credit standing who qualifies for a low- or moderate-income rental unit when only a unit in a higher income category is available (i.e.: placing a low-income household in a moderate-income unit, or placing a very-low income household in a low-income unit).

The amount of the rental supplement will be determined by [municipality] as the difference between the restricted rent set by the landlord and 30 percent of the renter's gross monthly income. The rental supplement will be paid directly to the landlord each month by [municipality] on behalf of the tenant.

Rental assistance does not need to be repaid by the tenant. If the tenant wishes to renew the lease, they must be re-income qualified and the rental supplement will be recalculated. If the tenant no longer qualifies for the rental assistance, but qualifies for the actual rent, they may renew the lease and stay in the unit, but will no longer receive rental assistance.

Administration

[Municipality]'s Affordability Assistance Programs will be administered by [if individual programs are administered by different agents or persons, list all]. After an applicant is income qualified by [insert name of entity that qualifies applicants] pursuant to COAH's rules and the Uniform Housing Affordability Controls, or cannot be qualified due to a need for assistance, an affordability assistance application will be completed and forwarded with all necessary documentation to [insert name of affordability assistance administrator].

The affordability assistance recipient will sign a contract with *[municipality]* which states, at a minimum: the amount of funds granted, interest information, procedures, duration and conditions of affordability assistance, and repayment information.

The availability of any Affordability Assistance Programs must be noticed to all tenants of affordable units within *[municipality]* and provided to all administrative agents of affordable units within *[municipality]*.

An income eligible occupant or applicant for an affordable unit within municipality may not be denied participation in the Affordability Assistance Program(s) unless funding is no longer available.

[Insert any additional or more detailed procedures.]

APPENDIX O
SERVICE LIST



MUNICIPALITY, COUNTY
SERVICE LIST
N.J.A.C. 5:96-3.7



A municipality that petitions the Council on Affordable Housing (COAH) for substantive certification or is otherwise participating in COAH's substantive certification process must include an updated service list in order for COAH to review its submittal. At the time it files or petitions for substantive certification a municipality must provide COAH with a Service List which includes the following information (Please print clearly):

1. Current names and addresses of owners of sites included in previously certified or court settled plans that were zoned for low- and moderate-income housing and/or were to pay a negotiated fee(s). Owners of sites that have been completely developed may be excluded;

		BLOCK	
PROJECT NAME		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	



MUNICIPALITY, COUNTY
SERVICE LIST
N.J.A.C. 5:96-3.7



PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	



MUNICIPALITY, COUNTY
SERVICE LIST
N.J.A.C. 5:96-3.7



2. The names and addresses of owners of all new or additional sites included in the Fair Share Plan;

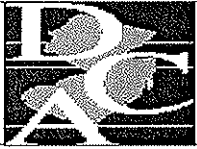
		BLOCK	
PROJECT NAME		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	



MUNICIPALITY, COUNTY
SERVICE LIST
N.J.A.C. 5:96-3.7



OWNER			
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	



MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7



3. Except for Mayors, Clerks, Municipal Attorneys and Municipal Housing Liaisons, which are automatically added to every Service List by COAH, the names and addresses of all municipal employees or designees that the municipality would like notified of all correspondence relating to the filing or petition;

NAME	<u>Rich Renzulli</u>	TITLE	<u>Mayor</u>
EMAIL		PHONE NO.	<u>609-267-5723</u>
ADDRESS	<u>12 Manor House Court</u> <u>Eastampton, NJ 08060</u>	FAX NO.	<u>609-265-1714</u>
NAME	<u>D. Scott Carew</u>	TITLE	<u>Manager</u>
EMAIL	<u>scarew@eastampton.com</u>	PHONE NO.	<u>609-267-5723</u>
ADDRESS	<u>12 Manor House Court</u> <u>Eastampton, Nj 08060</u>	FAX NO.	<u>609-265-1714</u>
NAME	<u>Eileen K. Fahey, Esq.</u>	TITLE	<u>Township Attorney</u>
EMAIL		PHONE NO.	
ADDRESS	<u>7-A North Main Street,</u> <u>PO Box 212</u> <u>Medford, NJ 08055</u>	FAX NO.	
NAME	<u>Kim-Marie White</u>	TITLE	<u>Clerk</u>
EMAIL	<u>Kim White</u> <u>kwhite@eastampton.com</u>	PHONE NO.	<u>609-267-5723</u>
ADDRESS	<u>12 Manor House Court</u> <u>Eastampton, Nj 08060</u>	FAX NO.	<u>609-265-1714</u>
NAME	<u>Barbara J. Fegley, AICP,</u> <u>PP</u>	TITLE	<u>Township Planner</u>
EMAIL	<u>bfegley@comcast.net</u>	PHONE NO.	<u>856-235-7170</u>
ADDRESS	<u>525 Fellowship Road,</u> <u>Suite 300</u> <u>Mt. Laurel, NJ 08054</u>	FAX NO.	<u>856-273-9239</u>
NAME	<u>Frederick Hardt</u>	TITLE	
EMAIL		PHONE NO.	
ADDRESS	<u>300 Chester Avenue, PO</u> <u>Box 840, Moorestown, NJ</u> <u>08057</u>	FAX NO.	



NAME	<u>Mark Remsa</u>	TITLE	<u>Director</u>
EMAIL	mremsa@co.burlington.nj.us	PHONE NO.	<u>609-26505055</u>
ADDRESS	<u>PO Box 6000</u> <u>Mount Holly, NJ 08060</u>	FAX NO.	<u>609-265-5006</u>
NAME	_____	TITLE	_____
EMAIL	_____	PHONE NO.	_____
ADDRESS	_____ _____	FAX NO.	_____
NAME	_____	TITLE	_____
EMAIL	_____	PHONE NO.	_____
ADDRESS	_____ _____	FAX NO.	_____
NAME	_____	TITLE	_____
EMAIL	_____	PHONE NO.	_____
ADDRESS	_____ _____	FAX NO.	_____
NAME	_____	TITLE	_____
EMAIL	_____	PHONE NO.	_____
ADDRESS	_____ _____	FAX NO.	_____
NAME	_____	TITLE	_____
EMAIL	_____	PHONE NO.	_____
ADDRESS	_____ _____	FAX NO.	_____
NAME	_____	TITLE	_____

[illegible]

APPENDIX P

MASTER PLAN

LATEST MASTER PLAN TO BE INCLUDED IN COAH COPY ONLY

**Master Plan
Reexamination Report
Township of Eastampton
Burlington County, New Jersey**

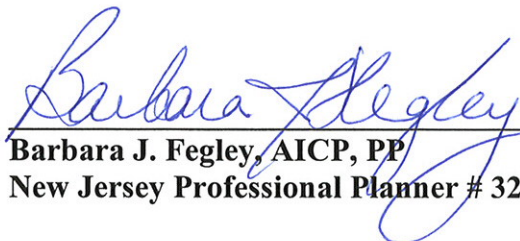


Prepared For:

**Eastampton Township Land Use Planning Board
12 Manor House Court
Eastampton, NJ 08060**

Prepared By:

**Environmental Resolutions, Inc.
525 Fellowship Road, Suite 300
Mt. Laurel, NJ 08054**


**Barbara J. Fegley, AICP, PP
New Jersey Professional Planner # 3259**

***November, 2006
Amended September, 2007
Adopted September 19, 2007***

LAND USE PLANNING BOARD

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Land Use Board Solicitor

Nancy Jamanow, PE, CME, PP
Land Use Board Engineer

Barbara F. Fegley, AICP, PP
Township Planner

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3.0 The extent to which such problems have been reduced or increased.	4.
4.0 Changes in assumptions, policies and objectives forming the master plan or development regulations as last revised.	8.
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1.0 A report on the reexamination of the master plan and development ordinances

1.1 Purpose of reexamination. The Municipal Land Use Law - NJSA 40:55D-89 (MLUL) requires the Township Council, at least every six years, to provide for a general reexamination of its master plan and development regulations by the Land Use Planning Board. The purpose for this periodic review is to examine the impact that the forces of change are having on the community and its goals and objectives. The chapter headings of the Reexamination Report follow the format established by NJSA 40:55D-89.

The MLUL states that failure to comply with the reexamination requirement “shall constitute a rebuttable presumption that the municipal development regulations are no longer reasonable.”

Beyond the statutory requirements, the Reexamination Report is a tool to identify outdated zoning, land use conflicts and point to land use and development controls that should be updated. Further, it also provides the community with an opportunity to review the needs and initiatives of other governmental bodies operating in the municipality. Thus, the Reexamination Report sets the Township’s planning agenda for the next six years.

1.2. Documents reviewed during preparation of report.

- 1998 Master Plan - The last comprehensive review of the Eastampton Township Master Plan occurred in 1998 in the form of a new master plan, which also provided for new zoning and development regulations. The 1998 Plan was a continuation of the 1988 Plan, which provided a comprehensive baseline of information about the Township’s land capacity and introduced new growth management concepts. The Township’s priorities over the past seventeen (17) years are reflected in this document, which established a broad “Smart Growth” vision.
- 2001 Master Plan Revisions – These revisions provided an Open Space Element along with related changes to the Land Use Element.
- 2003 Delaware Valley Regional Planning Commission (DVRCP) Transportation and Circulation Study, Route 206/Farmbelt Corridor.
- 2004 Smart Growth Grant: Town Center Design Plan – This plan was prepared through a Smart Growth Grant from the NJDCA and was based upon a comprehensive public input process that included a planning policy questionnaire and a Visual Preference Survey™.
- 2005 Redevelopment Plan - This plan replaced the 1999 Redevelopment Plan.

- 2005 Stormwater Management Plan.
- 2005 Housing Plan Element/Fair Share Plan. This replaced a 2004 version in response to new Round Three requirements established by the Council on Affordable Housing (COAH).

2.0 The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report

The major problems and objectives outlined in the 1998 Plan are as follows:

2.1 Conserve natural resources and preserve open space. This objective called for guiding growth away from environmentally sensitive areas and directing it to more suitable locations. The 2001 Open Space Plan Element identified areas for preservation and called for the creation of a green belt around the Township's developed core, in the form of new parks, preserved farmland and conservation areas.

2.2 Promote beneficial economic growth. The 1998 Plan called for achieving a greater diversity in the Township's ratable base through the creation of new business facilities near or adjacent to the Route 206 corridor. In 1988, 4.3 percent of the Township's total taxable land area was in commercial or industrial use and remained the same through 1998. It also encouraged the use of the Local Redevelopment and Housing Law (LRHL) to foster more productive use of commercial lands in places where infrastructure was already established.

2.3 Protect environment and clean up pollution. The 1998 Plan linked environmental protection with economic growth. It referenced the desire to redevelop areas in order to conserve resources, and promote pedestrianism in order to reduce congestion and energy consumption. The 1998 Plan also set out to protect existing trees and vegetation, encourage recycling and improve stormwater management.

2.4 Provide adequate public facilities and services. The 1998 Plan expressed a preference for the location of public facilities in ways that maximized the availability of infrastructure in developed areas.

2.5 Provide adequate housing at reasonable cost. The Fair Housing Act of 1985 resulted in the establishment of the Council on Affordable Housing, which will periodically set affordable housing goals for each municipality. The 1998 Plan and 2001 Revisions acknowledged the need to address the obligation at the time and identified a strategy to meet this requirement.

2.6 Encourage redevelopment. The majority of Eastampton was developed during a period when land use planning emphasized a strict separation of uses, which is sometimes referred to as "Euclidean Zoning." The development of a mixed use Town Center, which the Town has considered a desirable feature since the 1988 Plan, has proven to be difficult to accomplish through this planning approach. The 1998 Plan acknowledged many of the desirable features of a Town Center, but called for the use of the LRHL to encourage redevelopment in the existing commercial area to achieve this goal.

3.0 The extent to which such problems have been reduced or increased since that time

3.1 Conserve natural resources and preserve open space. The goal of preserving and protecting open space and farmland in Eastampton has been completed. Through the use of various tools, the amount of permanently preserved open space, farmland and conservation areas increased from 6.3 percent of the Township's land area in 1998 to 33.7 percent by 2005 as indicated in the table below. Financing of the open space program was achieved through a local open space tax and grants from the New Jersey Department of Environmental Protection - Green Acres Program, the Burlington County Open Space Program, and the Burlington County Farmland Preservation Program. The residents authorized the Township Council to set a maximum local open space tax at 23 cents per \$100 of assessed value for land acquisition that generates approximately \$450,000 a year in revenue for this purpose based on a current rate of 18 cents.

The Township also created a zone that allowed for Wetlands Mitigation, which reserved a portion of the Township to serve as a receiving area for wetlands restoration projects. These strategies allowed the Township to secure most of the open space priorities listed in the 2001 Open Space Plan Element.

The open space program resulted in an open space inventory totaling +/- 1,230 acres of land.

Eastampton Township Open Space Conservation Table	Acres
Twp. parks and open space in 1998	80
County parks and open space in 1998	151
Total parks and open space in 1998	231
Total as percentage of land area	6.3 %
New preserved farmland since 1998	352
New municipal parks and open space since 1998	203
New regional parks and open space since 1998 (high school and county park facilities)	120
New conservation and wetland protection areas	325
Total new municipal and regional open space, farms, conservation areas since 1998	1,000
Total parks, open space, farmland and conservation areas	1,231
Total as percentage of land area	33.7%

3.2 Promote beneficial economic growth. The need to diversify the Township's tax base, provide residents with local employment opportunities and commercial, professional and retail services remains a Township priority. In 1988, only 4.3 percent of the Township's land area was classified as commercial or industrial, which has remained generally unchanged as indicated in the following table of land uses for 2006.

TAXABLE LAND USE	% OF TAX BASE	% OF LAND AREA	VALUATION
Residential*	84.2%	23.8%	438,166,300
Farm/Home	0.9%	21.3%	4,902,700
Farm/Land	0.1%	4.2%	538,400
Commercial	5.9%	42.8%	30,855,000
Industrial	0.3%	5.8%	1,300,000
Apartment	7.1%	0.2%	36,900,000
Vacant	1.5%	2.0%	7,700,000
Total	100%	100%	\$ 520,362,400

Source: Eastampton Tax Assessor's Office

There are four areas where the Township is seeking to promote economic growth in order to provide for the economic well-being of the municipality. These areas include the mixed-use Town Center, the Route 206 corridor, the Smithville/Woodlane Road Business Park and the former landfill on Route 38. Since 2003, five significant projects have been approved through most of these areas.

As indicated in the table below, 6.2 percent of the Township's tax base is composed of commercial or industrial properties while the County average is 16.7 percent. Establishing a diversity of property tax revenue sources is important to the long range economic health of the Township and is a critical aspect of any municipality's credit rating, which can have an impact on its ability to undertake capital improvements.

TAXABLE LAND USE	% TAX BASE EASTAMPTON	% TAX BASE BURLINGTON
Residential	84.2%	77.2%
Farm/Home	0.9%	1.1%
Farm/Land	0.1%	0.2%
Commercial	5.9%	13.8%
Industrial	0.3%	2.9%
Apartment	7.1%	3.0%
Vacant	1.5%	1.8%

Source: Eastampton Tax Assessor's Office

3.3 Protect environment and clean up pollution. Eastampton has made major strides in achieving the many environmental goals established in the 1998 Plan. As previously discussed, the open space preservation program was the most important environmental priority of the 1998 Plan. Nevertheless, environmental health is an ongoing priority for the Township.

In the 1988 Plan, the most pressing environmental issue in the Township included clean-up of a salvage yard at the intersection of Woodlane and Monmouth Roads and preservation of open space. The salvage yard has been removed and in its place is a new CVS Pharmacy, which opened for business in 2000.

In 2005, the Township adopted a new stormwater management plan in conformance with State DEP requirements. The Township's primary environmental focus will be on implementing the Stormwater Management Plan, and doing its part to promote surface and ground water quality.

3.4 Provide adequate facilities and services. There is an ongoing need in the community to create a unique identity and sense of place that can be encouraged by the proper placement of civic buildings. The Township's preference for locating public facilities within the Town Center will provide an important downtown civic element that is now missing. The goal of utilizing public facilities to revitalize neighborhoods and create mixed use centers is consistent with the 2001 State of New Jersey Development and Redevelopment Plan for Suburban Planning Areas (PA2). There may be opportunities to address this objective through the relocation of the Eastampton Police Department to the area, which is outgrowing its current headquarters on Smithville Road.

Eastampton is in the process of taking a concrete step toward this goal through a \$20 million school consolidation project now under construction. This project will convert the existing Eastampton Middle School into a K-8 facility to be known as the Eastampton Community School. The existing elementary school will be closed and converted for a commercial use yet to be determined.

Some of the "Smart Growth" objectives the Township will achieve through the Eastampton Community School project include (1) the incorporation of a Community Center component into the design of the facility making it a public investment that can be utilized year around, (2) providing easy access for most residential neighborhoods that encourages biking and walking, and (3) employing better community design techniques that enhance the mixed use character of the surrounding neighborhood such as screened parking and more complementary architecture and landscaping.

3.5 Provide adequate housing at reasonable cost. Eastampton has addressed the affordable housing requirement that existed when the 1998 Plan was adopted. This is a new 100-unit low and moderate income rental facility in the redevelopment area, known as the Eastampton Town Center Apartments, was constructed in 2001. Eastampton had an obligation to provide 70 affordable housing units under a Superior Court decision,

which has resulted in a sufficient number of credits to meet its Third Round anticipated growth share allocation. In November 7, 2005 the Township Planning Board adopted a Housing Element and Fair Share Plan and on November 14, 2005 the Township Council adopted a resolution requesting certification from the Council on Affordable Housing (COAH).

Providing affordable housing and economic development have been identified as a goal of the Township. An increasing problem in the region and the nation is addressing the need for housing and health care facilities for an aging population. The Township should address these needs by accommodating a Continuing Care Retirement Community within its boundaries. Such a community can provide housing for independent residents and those needing higher care facilities while providing an economic benefit to the Township.

3.6 Encourage redevelopment (town center). Redevelopment of the Township's central commercial area as a means of promoting economic growth was a key feature of the 1998 Plan. Addressing this objective continues to be a priority for the Township as many opportunities for economic growth remain available.

In 2003, the Township received a Smart Growth Grant from NJDCA to bring greater focus on strategies and techniques that could be used to create a central mixed use area as expressed in both the 1988 and 1998 Plans. The grant funded community workshops that the Township refers to as the "Plan the Land" program, which brought together approximately 200 residents, property owners and elected and appointed officials in the Township to focus on the Town Center concept. The resulting Town Center Design Plan provides for a desired pattern of development that should be reflected in new zoning changes to meet the Township's goals. The central feature of the Town Center is traditional community green enclosed by mixed-use buildings containing retail, office and residential uses. This is not a new concept for Eastampton because it was initially described in the 1988 Plan (page 84) following the guidance from a another public opinion survey entitled "Won't You Help Us Plan" and a visual preference survey administered to the Planning Board and Township Council.

The Smart Growth Grant: Town Center Design Plan set the boundaries of the Town Center on Woodlane Road between Ashurst Lane and Smithville Road, which also marks the Township's PA2 boundary, as indicated in the 2003 Preliminary State Plan Map. In addition, the Town Center goal supports the centers concept contained within the 2001 State Development and Redevelopment Plan.

Establishing an identifiable, cohesive, mixed use and attractive Town Center remains an outstanding item from both the 1988 and 1998 Plans. The Township is optimistic that the professional and community guidance derived from the Smart Growth Grant: Town Center Design Plan will allow for its implementation.

4.0 The extent to which there have been significant changes in the assumptions, policies and objectives forming the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in state, county and municipal policies and objectives.

4.1 Density and distribution of population and land uses. Overall, the density and distribution of population has not changed significantly from the 1998 Plan and 2001 Revisions. The only notable growth occurred in the VCD zone with the construction of a 100 unit affordable housing development completed in 2001, which represents a 5 percent increase in the number of households.

In 2004, a small mixed use infill project was constructed on a vacant lot in the VCD zone. It provided for three (3) townhomes and a mixed-use building with two (2) apartments above 2,300 square feet of ground floor retail space. The density of the development exceeded historic densities in the area but was permitted on the basis of opportunities for shared parking in nearby facilities.

Population and Housing Unit Trends					
Population			Housing Units		
1990*	2000*	2004**	1990*	2000*	2004***
4,962	6,202	6,745	1,770	2,312	2,485

* *US Bureau of the Census, Census 2000*

** *Delaware Valley Regional Planning Commission (DVRPC)*

*** *2000 Housing Units plus 2001-2004 Units from DVRPC*

The Delaware Valley Regional Planning Commission projects a build out of 436 more residential units. The Township disagreed with this projection on the basis of the 2003 Smart Growth Grant Town Center Design Plan study and its open space acquisition and farmland preservation program. As reported in the 2005 Housing Element and Fair Share Plan, Eastampton anticipates approximately 176 additional households by 2013 with a potential build of 250 total new residential units, which would yield 500 more residents for a build out population of 7,245 residents.

The Township's proposal to accommodate a planned Continuing Care Retirement Community will change the prior projection to potentially add approximately 1,730 residents in an independent care, assisted living and skilled nursing facility. Based on this proposal, Township build-out population would be 8,975 residents.

4.2 Housing. The 2003 Smart Growth Grant studies identified a need to create housing options for residents of all age groups, which the Town Center Design Plan provided with a Traditional Neighborhood Design setting. There were no other changes in the underlying assumptions regarding housing issues. However, the Township is amending the 2006 Master Plan Reexamination to include Continuing Care Retirement Communities as permitted uses in the Planned Office and Business Park Districts.

General conditions. In general, Eastampton Township' stock is in very good condition. Approximately 86 percent of the housing stock was constructed since 1960 and over 67 percent was constructed since 1970. According to the 2000 Census, approximately 70 percent of housing units are owner occupied.

Neighborhood	Units
Lakeview	140
Vistas	328
Carriage Park	266
Eastampton Farms	410
Gordon Heights	22
Mews	88
Eastampton Gardens	240
Sherwood Village	304
Monmth/Woodlne/Junp/Carol	126
Woodlane Condos	16
Eastampton Town Center	100
Hampton Manor Apt.	20
Hampton Crt. Apts	8
Route 206 Residential	14
Mobil/Manufactured	100
Powell Road East/Smithville	30
Powell Road (West)	19
Monmouth/Smithville	30
All of Railroad Ave.	50
Rancocas Creek Area	70
Jennifer Court/Meadow Lane	30

Affordable Housing. The Township adopted the Housing Element and Fair Share Plan in November 2005 and petitioned COAH for certification. COAH's May 10, 2006 Report of the initial analysis of information submitted indicates the Township has 51 credits for the period of 1987-1999 and a potential 21 surplus units for the growth share obligation. A response was submitted to COAH's letter and the Township is awaiting COAH's review of the additional information.

4.3 Circulation. The 2003 Smart Growth Grant Town Center Design Plan identified Woodlane Road, between the Smithville Road and Ashurst Lane, as Eastampton's primary "Main Street." Although "Main Street" circulation plan is not specifically addressed in previous Master Plans, the Township will work with Burlington County to identify appropriate planning and design parameters for this section of Woodlane Road.

The 2004 Smart Growth Grant Town Center Design Plan also calls for establishing a local parallel road to Woodlane and envisions various pedestrian circulation improvements, streetscaping, on-street parking and traffic calming devices in specified locations.

One of the primary goals for Woodlane Road at the start of the reexamination process was the installation of a traffic light at the intersection of Woodlane Road and Student Drive, which is the principal access point to the consolidated K-8 Eastampton Community School. This goal was achieved in the fall of 2006. Additional safety measures for Woodlane Road are encouraged to accommodate non-motorized transportation.

In 2003, the Delaware Valley Regional Planning Commission (DVRPC) published a Transportation and Circulation Study for the Route 206 Farmbelt Corridor. There are a number of new circulation considerations to emerge from this document that focused on safety concerns at particular points along County and State roads within the Township. The issues of greatest concern include the intersection of Smithville and Powell Roads, which was made a 4-way stop in 2006, the Route 206 and Powell Road intersection, and the Route 206 and Woodlane Road intersection. The Township will continue to work with State and County agencies to improve these intersections.

4.4 Conservation of natural resource. The most significant assumption underlying the Township's past priorities that remains unresolved is the level of open space grant funding that was anticipated through the NJDEP Green Acres Program. The Township has established a local open space tax, which was approved at .23 cents and now sits at .085 cents, to compensate for the shortcoming in State grants. The tax rate was adjusted in 2006 to .085 cents to reflect updated land valuations, but the fiscal impact on the property owner is largely unchanged. At the time that the Open Space Element was adopted, the NJDEP Green Acres Bureau had promoted a grant program called the Planning Incentive Grant (P.I.G.). Under the P.I.G., a community with an agency approved Open Space Plan and a dedicated tax qualified for matching grants that would provide 50 percent of the acquisition cost. The State has made regular payments toward that funding level, but not at the rate initially anticipated resulting in a comparatively high open space tax, which can hinder the Township's ability to undertake other improvements.

4.5 Energy conservation and recycling. There have been no significant changes in the underlying assumptions of the 1998 Plan in these areas.

4.6 Changes in municipal policies and objectives.

Policies derived from 2004 Smart Growth Grant Studies (Plan the Land Workshops).

A strong Town Center, as expressed in the 2004 Smart Growth Grant Town Center Design Plan, was one of the most important features identified by the residents to

enhance the quality of life in the Township, as initially discussed in the 1988 Plan and community survey entitled “Won’t You Help Us Plan.”

The 2003 Smart Growth Grant Town Center Design Plan built upon the 1988 Plan because it included a community wide Visual Preference Survey, which provided the design guidance that was not available in the 1998 Plan. The resulting Town Center Design Plan essentially blended the 1988 and 1998 Plans. It called for the creation of a Town Center partially in developed areas and partially on undeveloped land.

The 2003 Smart Growth Grant Town Center Design Plan proposes to utilize approximately 35 acres of undeveloped land adjacent to the developed commercial area for a mixed use green. This 35 acre parcel was acquired by the Township in 2003 as part of a broader land purchase from a single owner, a majority of which was intended for open space preservation through the assistance of NJDEP Green Acres Bureau and the Burlington County Open Space Program. The 35 acres parcel, Block 600 Lot 2.07 and the 4.4 acre parcel, and Block 600 Lot 2.8 were purchased through a separate non-open space bond. However, there is a residual restriction in the title associated with the original 203.195 acre acquisition, of which 163.20 acres has been added to the Township’s Open Space Inventory and enrolled in the NJDEP Green Acres open space preservation program. As discussed in section 3.4 entitled, “Provide adequate facilities and services,” there is a need for a new police headquarters in the Township and Block 600 Lot 2.8 would be a suitable location for such a facility.

School Consolidation. The development of a consolidated K-8 school will free up the existing elementary school for a commercial purpose. Although the 1998 Plan established a need for economic growth, the availability of the elementary school property for an economic development purpose was not one of the underlying assumptions guiding the Plan. The Township has changed the zoning in this area in support of this goal.

4.7 Changes in County and State policies and objectives.

Route 206 Corridor – Eastampton Township is participating in a regional study with thirteen (13) other municipalities that make up the Route 206 Corridor in Burlington County in order to better coordinate growth in the region. The study is funded through a NJDCA Smart Growth Grant obtained through the Burlington County Office of Economic Development and Regional Planning.

Consistent with the Township’s longstanding goal of strengthening its economic base, Eastampton has joined with the neighboring community of Pemberton Township to seek the State Planning Commission’s endorsement of a commercial node at the Route 206 and Woodlane Road intersection under the Cross-Acceptance process. This proposal, which emerged from the Route 206 Corridor Study process, is listed as a negotiation item by the Burlington County Office of Economic Development and Regional Planning.

Although Route 206 is designated as Rural Planning Area, the Route 206/Woodlane Road node concept is consistent with the 2001 State Development and Redevelopment

Plan in that it “promote(s) economic activities within centers that complement and support the agriculture and provide economic diversity and non agricultural opportunity.” The Township believes that a commercial center organized around the preserved agricultural lands adjoining the Route 206 Corridor advance this State goal while contributing to a balance of land uses in Eastampton.

Statewide Policy Regarding Centers - The Preliminary State Plan map identifies the area contained within the 2003 Smart Growth Grant Town Center Design Plan as Suburban Planning Area (PA2). The Township’s policy of making this the Town Center is consistent with State policy. For example, some of the SDRP’s objectives for PA2 areas includes:

“Guiding development into compact centers, including retrofitting or restructuring single-use developments to accommodate mixed uses, expanded services, and cultural amenities.”

“Providing a variety of housing choices within mixed use Centers or retrofitted commercial developments.”

“Timing and sequencing the development of adequate public facilities and services to support the development of centers.”

5.0 The specific changes recommended for the master plan and development regulations or whether a new plan or regulations should be prepared.

5.1 Master Plan Update. Based on the analysis of changes documented in this report that have occurred in Eastampton over the past six years, a number of updates are recommended including a new zoning map (proposed new zoning map attached) along the following master plan changes:

Update master plan elements:

- Goals & Objectives Element
- Land Use Element

Establish new master plan elements:

- Community Design Standards - To reflect Smart Growth Grant community visioning results.

Master plan elements that are current:

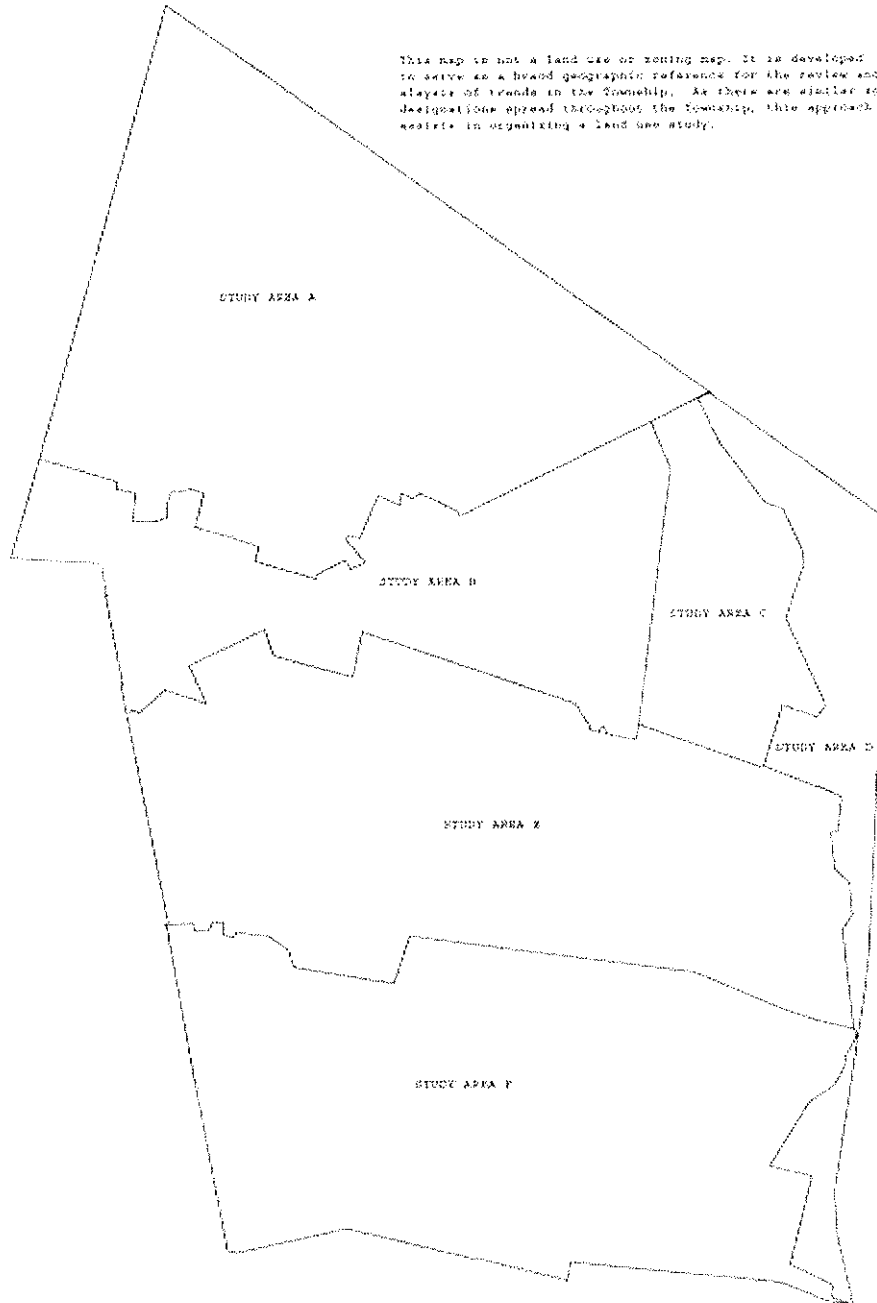
- Housing Element & Fair Share Plan
- Recycling Plan Element
- Stormwater Management Plan

Elements and studies to be considered in the future:

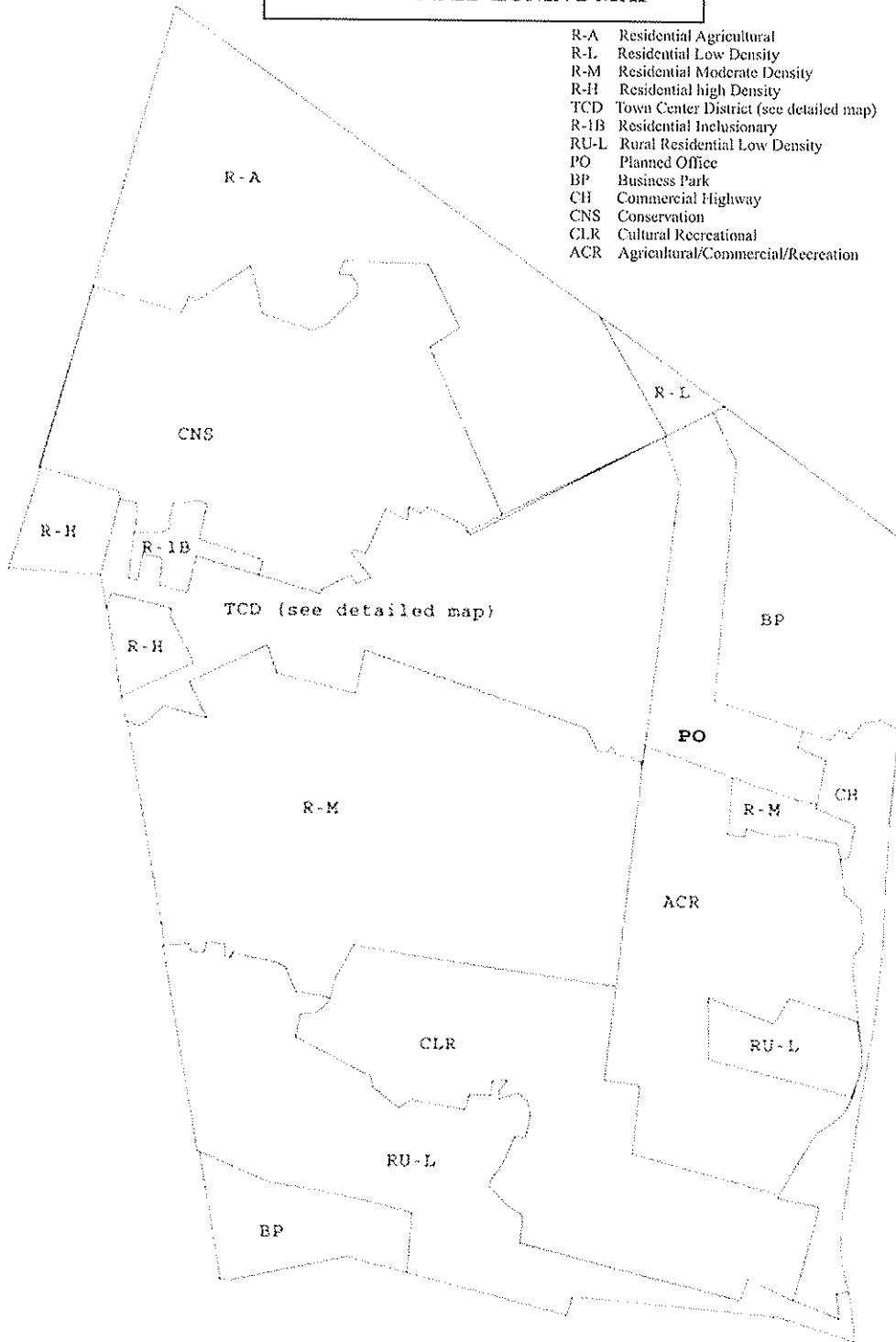
- Circulation Element
- Open Space and Recreation Element
- Economic Development Element

- 5.2 Development Regulations.** The Master Plan Subcommittee of the Land Use Planning Board recommends various changes the Township's development and zoning regulations. The recommendations are organized around six study areas as depicted on the Study Area Map below.

STUDY AREA MAP



RECOMMENDED ZONING MAP



- R-A Residential Agricultural
- R-L Residential Low Density
- R-M Residential Moderate Density
- R-H Residential high Density
- TCD Town Center District (see detailed map)
- R-1B Residential Inclusionary
- RU-L Rural Residential Low Density
- PO Planned Office
- BP Business Park
- CH Commercial Highway
- CNS Conservation
- CLR Cultural Recreational
- ACR Agricultural/Commercial/Recreation

Study Area A
(Current Zoning District: R1-B, RA, C2)

Description:

This area incorporates the northern section of the community. It is the most rural portion of Eastampton and is characterized by farmland, equestrian facilities, a wetlands mitigation site and two clusters of detached single-family residential neighborhoods, one is along Oxmead Road and another slightly larger neighborhood along Smithville and Monmouth Roads. The study area contains approximately 650 acres of land, half of which falls within the “wetlands mitigation area.” Area A is not served by a public water or sewer system. It contains two municipal streets (a portion of Oxmead Road and Smithville Road). There is also a small industrial/warehouse establishment, a restaurant and farmland around the intersection of Monmouth and Smithville Roads.

Recommendations:

1. Protect Agricultural Character - Single family dwellings are permitted in the RA zone and the minimum lot area is 15 acres. However, the trend has been to subdivide land into non-farm related single family dwellings. In order to maintain and promote a viable agricultural sector, it is recommended that continued subdivision of land for residential purposes, particularly when not associated with a parent agricultural use, be discouraged and minimum lot sizes should be maintained at 15 acres.
2. Promote Agricultural Opportunities - Other uses that are recommended for the RA zone include allowing for bed and breakfast facilities, commercial equestrian and ranch facilities, wineries, cooperative wholesale agricultural or organic agricultural product distribution facilities, and farmstands.
3. Enhance Wetlands Mitigation Site - The lower portion of Planning Area A is zoned R-1B. This designation was created when there was some uncertainty as to the method the Township would utilize to meet its affordable housing obligation that has since been resolved. It is recommended that the R1-B designation be removed from that portion of land dedicated for wetlands mitigation purposes and be designated a new “conservation” designation following the deed restrictions placed on this property by NJDEP.

Study Area B
(Current Zoning District: R-M, R-H, R1-B, VCD, BP/ACR)

Description:

This area offers a variety of retail, commercial, residential, civic, recreational and institutional uses. The largest establishments in the area include Gregory's Center, CVS Pharmacy, GSELL Moving and Storage, and three apartment complexes.

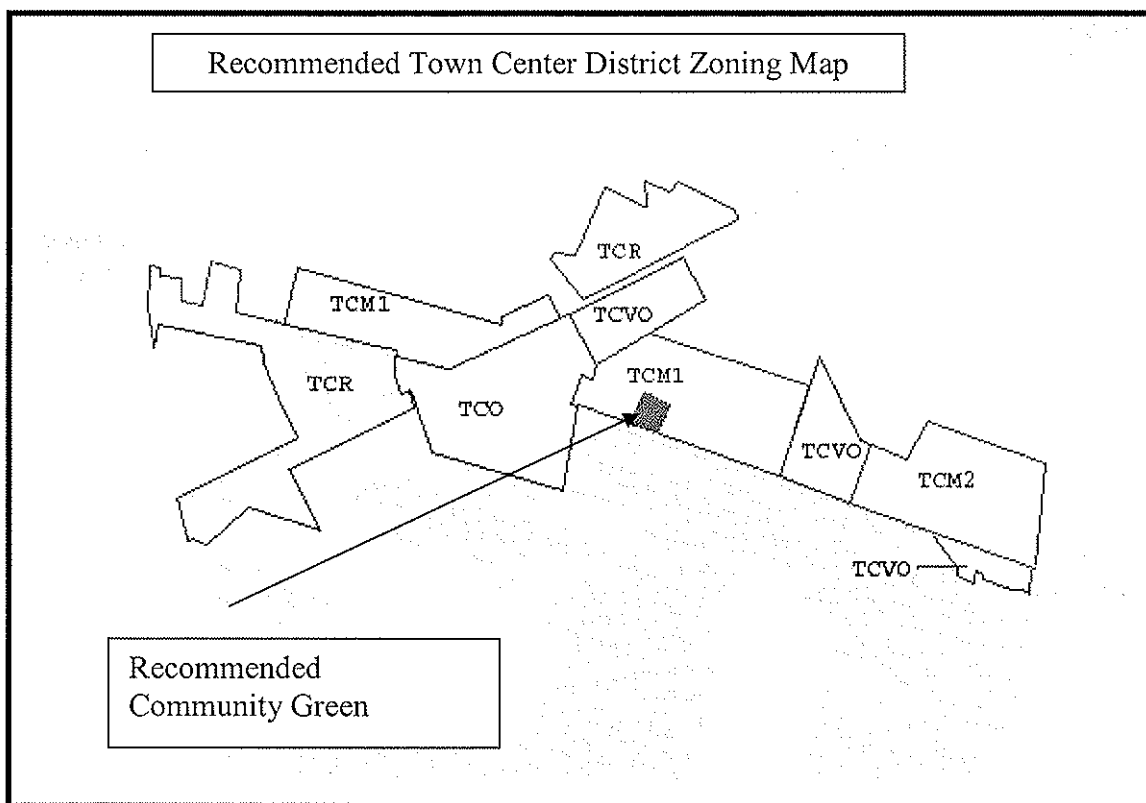
Since the 1998 Plan, there have been a number of positive investments including the construction of an award winning 100-unit affordable housing development completed in 2001. In 2005, a small mixed-use infill project on a vacant parcel, approximately 1/3 acre, was completed. A proposal for a mixed use development on a 20-acre site at the Woodlane and Smithville Road intersection has been approved and was designed to conform with the 2003 Smart Growth Grant Town Center Design plan for the area. Some sections of the study area, such as the Gregory's Center, represent opportunities for in-fill development. Other sections, such as the location of the Country Farms convenience store and the Block 600 area in general may provide opportunities for more comprehensive redevelopment.

The most notable vacant lands include approximately 15 acres in Block 900.01 adjacent to the CVS Pharmacy, approximately 1 acre associated with the GSELL Moving and Storage facility fronting onto Woodlane Road, and approximately 7 acres associated with the Gregory's Department Store. The largest vacant lot is a Block 600 Lot 2.07, which is a 35 acre parcel owned by the Township that fronts onto Woodlane Road near the Knightsbridge Road intersection. The Township also owns Block 600 Lot 2.08, which is approximately 5 acres. The area is serviced by public water and sewer and the major streets include Monmouth and Woodlane Roads. Municipal roads include Lakeview Terrace, Juniper Street and Oak Street.

Recommendations:

1. Town Center Designations - Based on the analysis provided in Sections 3.2; 3.4, 3.6; 4.2; 4.6; and 4.7, it is recommended the area generally between the Woodlane and Smithville Road intersection and Ashurst Lane be designated the Town Center District. The TCD would allow for commercial, retail, professional office and limited residential uses to achieve the desired community design goals. Overlay zones should be provided to encourage the desired mix of uses and densities. As previously mentioned, the Township is seeking to create a balance of land uses. Thus, although a Town Center needs to be populated through convenient housing options, a emphasis should be placed on options that are not currently available and contribute toward a balance within the housing stock. For example, Eastampton's stock of units available for rent exceeds the County average by a 2 to 1 margin. Therefore, opportunities for ownership are encouraged over more rental housing. A preliminary Town Center District zoning map is provided below.

2. Mixed-Use Township Green - Section 3.4 discussed the need and most suitable location for internalized open space such as greens, commons and plazas that would be surrounded by pedestrian scale mixed-use structures as illustrated in the Town Center Design plan. Block 600 Lot 2.07 is the only area within the broader Town Center area that could adequately meet this need. However, Section 4.6 explains the restriction that currently exists on the land. It is recommended that the Township revisit this restriction so that the Town Center Design Plan, developed through a broad citizen participation process, can be implemented. The Town Center Design plan takes on a “transect” based approach to establishing a town center, which is similar to a telescoping effect with respect to allowable densities and uses. Block 600 Lot 2.07 is a critical component of the plan as it is the center where uses converge to create a traditional and lively green. The single family dwellings lining the south side of Woodlane Road falls into the R-M, and R-H zone. It is recommended that these single family dwellings be united into a new common zone.



TCR - Town Center Single Family Residential

TCO - Town Center Commercial/Office

TCVO - Town Center Civic/Professional Office

TCM 1 - Town Center Mixed Use (One dwelling unit per 800 square feet of commercial space, 20 percent age restricted).

TCM 2 - Town Center Mixed Use (One dwelling unit per 140 square feet of commercial space, 12 percent age restricted).

Study Area C
(Current Zoning District: R-A, BP/LD)

Description:

This area contains the Eastampton Elementary School, which is a 35,000 sq. ft. building on approximately 10.8 acres. The school property surrounds a 1.27 acre parcel that contains a residential dwelling at the corner of Smithville and Monmouth Roads and approximately five small residential lots, all of which are zone Rural Agricultural (R-A). As noted in Section 3.4, the Eastampton Elementary School will be closing to consolidate with the Middle School. The bulk of the Study Area C is zoned BP/LP. The southern portion of the area is bounded by Woodlane Road and includes the Old World Bakery and the Eastampton Industrial Park on Compass Lane. No new development has taken place in the Study since the 1998 Plan, but a 30,000 square foot office/warehouse development on Compass Lane has been approved.

Recommendations:

1. Replace R-A Zoning: The removal of the R-A designation from area of the school and establishment of a unified commercial zone along Smithville Road is supported by this reexamination report.
2. Create Planned Office Zone and Additional Permitted Uses: A new planned office zone is recommended that would be 500 feet in depth from the centerline of Smithville Road and Woodlane Road onto Block 700 and 800. The scale of the commercial buildings and intensity of development in this transition area should complement the rural and residential character of the surrounding neighborhoods. No retail or strip mall uses are envisioned for this area. In addition to planned offices, continuing care retirement communities would be permitted in this zone if the property has 100 contiguous acres of land.
3. Remove LD Designation and Additional Permitted Uses: It is recommended that the balance of the study area, currently zoned BP/LD, utilize the BP designation and related standards and that the LD designation be removed. In addition to business parks, continuing care retirement communities would be permitted in this zone if the property has 100 contiguous acres of land.
4. Sewers - The study area is identified as being in the Mt. Holly Sewer Authorities sewer service area. The Township is encouraged to work with the Sewer Authority and investors to extend sewer lines to this area.

Study Area D
(Current Zoning District: C-3, BP/LD)

Description:

This Area contains the land bordered by Route 206 and Powell Run. The area contains a mix of uses including single family detached residential homes, manufactured and mobile homes areas, agriculture, an assortment of retail, commercial, and warehouse uses, and a public safety facility.

This area is zoned BP/LD and C-3. This area is included in the Route 206 Corridor Study. No significant zoning changes are recommended in terms of permitted uses with the exception of adding continuing care retirement communities as permitted uses to accommodate economic benefits to the Township and facilities for an aging population in the region. In addition, bulk requirements should be changed to provide consistency with recent approvals in the area, specifically the Aquatic Gardens and Alcoa applications.

Although the 206 Corridor Study is not complete, the recent proposals (Aquatic Gardens and Alcoa) referenced guidance provided by a 2003 visioning study, entitled “Strategic Planning Through Public Participation” prepared for the County by A. Nelessen Associates. The above referenced projects have utilized the corridor design guidance contained in said reports.

Recommendations:

1. Remove LD Designation: It is recommended that the portion of the study area that is currently zoned BP/LD utilize the BP designation and related standards and that the LD designation be removed.
2. Create Commercial Highway Node and Additional Permitted Uses: The areas at the intersection of Woodlane Road and Route 206, and the frontage of Route 206 south of the intersection should be developed as a unified commercial node that reflect the desired design patterns identified in the Route 206 corridor study. Continuing Care Retirement Communities should also be added as a permitted use in the Business Park zone.
3. Remove Railroad Ave. from C-3 Zone: There is a residential neighborhood at the end of East Railroad. These properties should be included in a new zone designation for residential neighborhoods south of Powell Road.
4. Sewers - The study area is identified as being in the Mt. Holly Sewer Authorities sewer service area. The Township is encouraged to work with the Sewer Authority and investors to extend sewer lines to this area.

Study Area E
(Current Zoning District: R-M, R-A)

Description:

This Area contains the majority of Eastampton's single family detached residential dwellings. It is in the central portion of the Township bordering Mt. Holly Township to the west and Smithville Road to the east. The area encompasses approximately 600 acres and 1,169 homes. The area was developed over a period of approximately 40 years through a series of residential subdivisions. The neighborhoods are commonly referred to as Lakeview, Vistas, Carriage Park, and Eastampton Farms. Two smaller developments were constructed in the late 1990's, which are served by single access cul-de-sac roads. These include Jennifer Court and Meadow Lane, the latter can only be accessed through Mount Holly Township.

Other features in this study area include the Township's administrative offices, known as the Manor House, the Township Middle School, which is in the process of being converted into a K-8 school, and the Eastampton Township Rescue Squad. A number of parks, recreational facilities, and conservation areas are also present. This includes an equestrian facility, heavy equipment rental company.

The area is served by water and sewer and majority of the Township's roads are located in this area.

Recommendations:

1. Low Density Residential Zone: The residential neighborhood on the eastern portion of Powell Road is currently zoned RA, which requires a 15 acre minimum lot size. As there is little opportunity to link most of these parcels to agricultural uses, it is recommended that this residential zone be given the new designation of Rural Low Density (RU-L).

No other changes are recommended.

Study Area F
(Current Zoning District: R-L, R-L/H, R-A/H, BP)

Description:

This Area contains most of the Township's farmland that has been preserved under the farmland preservation program. The farmland contains two parcels, now being farmed, for a future residential dwelling and a farm related market. The area contains approximately 22 private dwellings and a collection of rental units associated with Smithville Park.

Other facilities include the Eastampton Police Department, Court and Public Works Department at the site of a former schoolhouse. Nearby is the Eastampton Fire/Rescue Company.

The most significant environmental feature in the area is the Rancocas Creek, which runs parallel to the Township's southern border. A cultural asset in the area is the Smithville United Methodist Church.

Railroad Avenue passes through this area. At the eastern end, there is mobile/manufactured housing facility containing approximately 100 units, and approximately 39 other single family residential dwelling along Railroad Ave. At the western end, the area is defined by the Rancocas Creek Neighborhood in Lake Dr., Rabbit Run, Pennisula Road., Paducha Road., and East and West Mill Creek Roads. This neighborhood contains approximately 70 dwelling units. The emerging trend is either abandonment, acquisition by the County, or significant renovation. An unused railroad bed has been converted into a biking trail that ties the area together. There is a kennel in the area. Mobile Homes are seeing attached construction.

Recommendations:

1. Modify Historic Designation: Architectural design standards consistent with Smithville Park are recommended and should be adopted for all new structures and significant modifications to existing structures fronting on Smithville Road between the Township's southerly border with Southampton and Lumberton Township and Powell Road to the north. It is also recommended that the purpose of the Historic Review Committee be amended to provide for a review process.
2. New Residential Standards: It is recommended that new Rural Low Density standards be established that protect against flooding and enhance water quality in the Rancocas Creek. A stream corridor or buffer of fifty feet from the floodplain is recommended.

3. Farmers Market Standards. As part of the farmland preservation program, portions of preserved farmland have been set aside for future agricultural related commercial enterprises such as a farm market, tours, special holiday activities such as Halloween related activities. It is recommended that development standards for these activities be developed.
4. Landfill Redevelopment: It is recommended that the Township consider investigating redevelopment possibility for the former landfill in coordination with Mt. Holly and Lumberton Townships. Redevelopment along Route 38 should also look to any design guidance that is or may be available as a result of regional or corridor studies.

5.3 Public Facilities. The following section is a review and recommendation for the development of public facilities in the Township.

General Design Considerations - Civic buildings should demonstrate high quality architectural design reflecting the classical order that is traditionally used for civic structures and contribute to the positive image of the municipality.

Administrative Offices - It is anticipated that the Manor House, which serves as the Township's administrative headquarters, is capable of housing municipal operations for the next 10 to 20 years. See Police Facilities for suggested site of future expansion.

Parks and Recreation - In the next few years, America's largest population cohort, referred to as the baby boomer generation, will begin to turn age sixty-five. Currently, 12 percent of the population is 65 and over. By 2050, this figure will double and likely create new a demand for alternative recreation infrastructure and services. The Township will need to upgrade its facilities to address these needs, along with placing a strong emphasis on developing pedestrian infrastructure that allows non-vehicular access to points of recreational, social and cultural interest. It is anticipated that new facilities in the form of internalized open spaces will be in greater demand and respond to demographic changes. This refers to greens, commons and plazas that are in close physical proximity to a broad range of services.

The Township's existing parks have received numerous investments since the 1998 Plan. Continued planning for improvements is recommended. Investments that would strengthen existing programming are particularly encouraged. For example, a suitable structure for meetings, shelter, storage and food concessions at Buttonwood Park would strengthen popular programs such as the Summer Park Program, the Concert Series and Eastampton Fun Day.

Police Facilities – Police facilities will need to be addressed within the five years. The Police Department is currently in a former school house on Smithville Road, which was constructed in the early 1900's. The layout of the lot and other environmental constraints preclude to possibility of expanding the structure. However, police department activities would need to be buffered from major residential neighborhoods. Block 600 Lot 2.08 (4.4 Acres) is identified as a potentially suitable location for a future police department and should be further studied. It is recommended that the future police department be constructed in a manner that would allow for a future expansion to include a consolidated municipal building or allow the Department of Public Works or both.

Public Works – The Public Works Department, located on the same lot as the Police Department, is rapidly outgrowing its facility. Once a new Police Facility is constructed, the Public Works department will have significantly more space on the lot. DPW office space can be relocated to the building now housing the Police Department, freeing up additional space with the garage. In order to extend the usefulness and functionality of the Manor House, the current police department building can be used for community group meeting space, a central records and equipment storage facility.

Schools - In keeping with the guidance of the 1998 Plan, Eastampton residents approved a \$20 million proposal to consolidate the Eastampton Elementary School with the Eastampton Middle School, which is in close proximity to the majority of residential neighborhoods in the community. The Middle School will be expanded to house the Township's K-8 population at its centrally located facility. The school will also contain facilities to allow it to function as a community center during non-school hours and is accessible to pedestrians from surrounding neighborhoods.

Streets and Roads – Since the 1998 Plan, the Township has initiated an annual road improvement program. As many municipal roads are beginning to show signs of aging, it is anticipated that the need to invest the road facilities will continue. Unique challenges associated with a road improvement program that the Township will need to plan for is the growing cost of asphalt and its diminished strength. Asphalt is a by product of the oil refining process, which has improved over the years resulting in a tighter supply and less strength. These changes will require the Township to invest more heavily in protective maintenance in order to avoid the cost of extensive reconstruction.

Fire and Rescue - It is recommended that the Township's volunteer fire and rescue companies continue to evaluate the feasibility of consolidating facilities and services in a central facility utilizing the existing EMS on Woodlane Road building as a central base of operations.

The design of the future fire department should take into consideration of the residential nature of adjoining properties and provide for suitable transitions. The building should also be sensitive to the fact that it will serve as a gateway into the town center. Fire facility planners are directed to reference the Township's design standards for civic architecture, and gateway areas.

6.0 Recommendations of the land use planning board concerning the incorporation of redevelopment plans pursuant to the “Local Redevelopment and Housing Law” into the land use plan element of the municipal master plan, and recommended changes, if any in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

The community design objectives provide in the Town Center Design Plan have been incorporated into the municipal code (Article X and XI Section 88-54 through 55). The Redevelopment Plan is included the Township’s zoning code (Article XXII Section 103-85) and references these standards. However, the Redevelopment Plan’s regulations focus on the properties designated T-3. As it appears, the T-3 will be redeveloped based on submitted development applications. It is recommended that the Township refine the development regulations in the Redevelopment Plan to provide for an appropriate transition between the transect areas.

This Reexamination report endorses the general community design standards that are now part of the development standards and recommends that the design standards be included in the Municipal Master Plan.

APPENDIX Q

ZONING ORDINANCE AMENDMENTS

LATEST ZONING ORDINANCE AMENDMENTS TO BE INCLUDED IN COAH COPY ONLY

B & B CONDITIONS FINAL

Page 1 of 1
11/12/08

AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP CODE AT SECTION 103 --"ZONING" IN PARTICULAR, THE PROVISIONS OF SECTION 103-57.3 ADDRESSING BED AND BREAKFASTS

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to amend the Zoning Ordinance to make certain revisions to their zoning requirements for the residential districts.

SECTION II

The Township Council amends the Ordinance as follows:

The following section shall be added to the Ordinance as section 103-57.3:

103-57.3 Bed and Breakfast Facilities

- A. Purpose. Bed and breakfasts (B & B) offer an opportunity to provide temporary accommodations for guests in a residential setting with the Township.
- B. Site plan approval shall be required for this use.
- C. Bed and breakfast accommodations are permitted as a conditional use in the ACR and CH zoning Districts in the Township. The following requirements must be met:
 - (1) B & B shall be permitted only in single family detached dwellings.
 - (2) The B & B shall be the primary residence of the property owner.
 - (3) All B & B facilities shall be registered in accordance with all state and local laws.
 - (4) A maximum of five guest rooms shall be located in each B & B.
 - (5) The maximum consecutive stay for any guest shall be limited to 14 days.
 - (6) Any meal provided, usually breakfast, shall be provided for registered guests only.
 - (7) Adequate parking shall be provided on site, at a minimum of one space per guest room, plus 2 spaces for the owner of the residence and one space for each employee who does not reside at the dwelling. Parking shall not be permitted in the front yard and adequate buffers shall be provided to any adjacent use.

AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP
CODE AT SECTION 103 –“ZONING” IN PARTICULAR, THE PROVISIONS OF SECTION
103-20 ADDRESSING THE **COMMERCIAL** DISTRICTS

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to amend the Zoning Ordinance to make certain revisions to their zoning requirements for the commercial districts.

SECTION II.

Delete current section 103-20 A through H in its entirety and replace with the following:

§ 103-20 CH Community Highway District

- A. Permitted principal uses. The following principal uses are permitted in CH District:
- (1) Municipal buildings and other governmental and/or public uses.
 - (2) Restaurants or eating places, but excluding drive-in, takeout or quick order restaurants.
 - (3) Offices or office buildings for physicians, dentists, lawyers, engineers, architects, real estate brokers, insurance brokers and related uses.
 - (4) Medical clinics, hospitals and nursing homes.
 - (5) Laboratories serving medical and dental requirements.
 - (6) Music conservatories or music instruction.
 - (7) Photography studios, but not photo supply sales.
 - (8) Printing, lithography, publishing and photostating establishments.
 - (9) Home office or business in dwellings in existence prior to January 1, 2008.
 - (10) Shopping centers on sites not to exceed five acres, stores and shops where goods are sold and retail and personal services rendered.
 - (11) Farm equipment sales and rental stores.
 - (12) Garden supply centers and greenhouses for retail sales.
 - (13) Funeral homes and mortuaries.
 - (14) Automotive vehicle showrooms, sales, lots, parts and accessories stores, automotive restoration and body shops, excluding junkyards and salvage businesses.
 - (15) Assembly halls, bowling alleys and other similar commercial recreation activity provided that it is carried on within an enclosed building.
 - (16) Buildings and yards for the storage of lumber and other building materials, fixtures and equipment, including the sale of such materials at retail or wholesale from the

premises, provided that such storage yards are screened or fenced from the highway and adjacent lot areas.

B. Accessory uses. The following accessory uses are permitted in the CH Districts:

C. Conditional uses. The following conditional uses are permitted in the CH Districts:

D. Maximum building height. The maximum height of a building in the CH District shall be thirty-five feet (35') and as otherwise provided in § 103-10A.

- (1) Minimum lot area: 1 acre.
- (2) Minimum lot frontage: 175 feet.
- (3) Minimum lot width: 175 feet.
- (4) Minimum lot depth: 175 feet.
- (5) Minimum setbacks:
 - (a) Principal building:
 - [1] Front yard: 50 feet.
 - [2] Rear yard: 40 feet.
 - [3] Side yard: 25 feet.
 - (b) Accessory Building:
 - [1] Distance to side line 20 feet
 - [2] Distance to rear line 20 feet
 - [3] Distance to other building 20 feet
- (6) Maximum building coverage. 20%
- (7) Site coverage 65%
- (8) Building coverage of accessory building(s) 2%

- F. Minimum/Maximum gross floor area. Individual uses shall provide that each principal building have a minimum gross floor area of 3,000 square feet in the CH District. Shopping centers comprised of one or more principal buildings shall have a total minimum gross floor area of 10,000 square feet. No structure shall exceed 50,000 square feet.
- G. General Requirements.
- (1) One building may contain more than one use, provided that the total building coverage of the combined uses does not exceed the maximum building coverage specified for the district and, further, that each use occupies a minimum gross floor area of 500 square feet.
 - (2) A shopping center may contain more than one principal building, provided that the total building coverage specified for the district is not exceeded and the following building separation requirements are met:
 - (a) All principal buildings shall be separated by a minimum of 25 feet, provided that such separation is to be used solely for pedestrian circulation.
 - (b) All principal buildings shall be separated by a minimum of 50 feet when such separation is to be used for parking or vehicular circulation.
 - (c) The separation requirements should not be construed to prohibit covered pedestrian walkways when the roof or covering of such walkway extends between the principal buildings.
 - (3) At least the first 40 feet adjacent to any street line and property line in the CH District shall not be used for parking and shall be planted and maintained in lawn area, ground cover and/or landscaped with evergreen shrubbery, in accordance with § 103-46, and separated from the parking areas by poured concrete or Belgian block or other suitable curbing as determined by the Township Engineer and Land Use Planning Board during site plan review:
 - (4) Buffers and landscaping shall be in conformance with § 103-46.
 - (5) Parking areas which are designed for over 20 vehicles shall include 10% landscaped areas of a minimum 400 square feet in size. The base area shall be measured at the exterior edge of the parking spaces.
 - (6) No merchandise, products or similar material or objects shall be displayed or stored outside unless appropriately screened and maintained. Any use resulting in the storage of vehicles outside shall have such area entirely enclosed by a fence, wall, plant material or combination thereof in accordance with § 103-46 in order to provide a visual barrier between the storage areas and any street, residential zoning

district or existing residential use. Such outside storage area shall not exceed 30% of the lot area and shall be located in the rear yard only.

- (7) All buildings shall be compatibly designed, whether constructed all at one time or in stages over a period of time. All building walls facing any street or residential district line shall be suitably finished for aesthetic purposes, which shall not include unpainted or painted cinder block or concrete block walls.
- (8) All areas not utilized for buildings, parking, loading, access aisles and driveways or pedestrian walkways shall be suitably landscaped with shrubs, ground cover, seeding or similar plantings in accordance with § 103-46 and maintained in good condition.
- (9) The Land Use Planning Board may prescribe more restrictive conditions or any further reasonable conditions deemed appropriate with respect to improving the design quality of proposed development and the neighborhood. Adequate guaranty in the form of either cash, bond or letter of credit acceptable to the Township Attorney shall be posted as a condition of approval of the plan to assure that all parking, entrances, exits, facilities and services are installed as required.
- (10) Truck loading and unloading areas shall be provided in sufficient amount to permit the transfer of goods and materials on the premises rather than on a public street or customer off-street parking area on the premises; a landscaping screen of not less than six feet in height shall be required where off-street loading and unloading areas abut residential uses so that such operations shall be shielded from view from such residences, in accordance with § 103-46.
- (11) Parking areas shall be designed to provide for a convenient flow of circulation within the shopping center, dividing aisles shall be provided with one tree of at least two inches in caliper for each 10 vehicle spaces and the parking area shall be illuminated by nonglare lighting standards, focused downward, of a height not to exceed 25 feet.
- (12) Access to the highway shall be controlled in the interest of public safety. Each building or group of buildings used for nonresidential purposes and its parking or service areas shall be physically separated from the highway by a curb, planting strip or other suitable barrier of not less than 20 feet in depth against unchanneled motor vehicle access or egress, except for accessways authorized therein. Applicants for uses to be located on a state highway shall coordinate with and obtain approval from the New Jersey Department of Transportation for all access plans to said highway. Applicants for uses located on a county road shall coordinate with and obtain approval from the Burlington County Engineer for all access plans to said roadway.
- (13) Each separate use, grouping of attached buildings or groupings of uses permitted as part of a single integrated plan shall have not more than two accessways to the

highway on which it is located. Insofar as practicable, the use of common accessways by two or more permitted uses shall be provided in order to reduce the number and closeness of access points along the highway and to encourage the fronting of commercial structures along a parallel access road and not directly on the highway.

- H. Open space. All subdivisions in the CH District resulting in five or more lots shall set aside no less than 10% of the lot area of the site for open space purposes. The open space shall be large and unified or scattered throughout the tract as determined by the Land Use Planning Board.

Delete current section 103-20 I in its entirety.

AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP CODE AT SECTION 103 –“ZONING” IN PARTICULAR, THE PROVISIONS OF SECTION 103-18 ADDRESSING THE **CULTURAL RECREATION RESIDENTIAL DISTRICT**

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to amend the Zoning Ordinance to make certain revisions to their zoning requirements for the cultural recreation and recreation districts. The proposed CLR District, replaces areas that were previously in the R-AH and RL/H Districts. The vast majority of the area is in public ownership including the County's Smithville Historic Area and all of the land is located in the Smithville Historic District.

SECTION II.

The following is to be inserted as section 103-18:

§ 103-18 CLR Cultural, Recreation, Residential

- A. Permitted principal uses. The following principal and accessory uses are permitted in the CLR District, which includes a portion of the 'Smithville Historic District' as defined in Section 103-40.9:
 - (1) Single-family dwellings.
 - (2) Municipal/governmental buildings, educational and cultural sites/facilities, public parks and playgrounds.
 - (3) Agricultural uses.
 - (4) Farms.
- B. Accessory uses. The following accessory uses are permitted in the CLR district:
 - (1) Private garages and carports.
 - (2) Signs, subject to the provisions of Article XIV, § 103-41 et seq.
 - (3) Fences, subject to the provisions of § 103-47.
 - (4) Off-street parking facilities, subject to the provisions of Article XVI.
 - (5) Private swimming pools, subject to the provisions of § 103-9F.
 - (6) Home office occupations.
 - (7) Homecrafts, subject to the provisions of § 103-56
- C. Conditional uses. The following conditional uses are permitted in the CLR District:
 - (1) Public utilities, subject to the provisions of § 103-53.

(2) Home Professional Occupations, subject to the provisions of § 103-57.

D. Area and yard requirements for single-family dwellings in the CLR District shall be as follows:

- (1) Minimum lot area: 15 acres.
- (2) Minimum lot frontage: 350 feet.
- (3) Minimum lot width: 350 feet.
- (4) Minimum lot depth: 400 feet.
- (5) Minimum setbacks, principal building:
 - (a) Front yard: 150 feet.
 - (b) Side yard, each: 100 feet.
 - (c) Rear yard: 100 feet.
- (6) Minimum setbacks, accessory buildings:
 - (a) Front yard: Not allowed.
 - (b) Side yard: 100 feet.
 - (c) Rear yard: 50 feet.
 - (d) Distance to other building: 20 feet.
- (7) Maximum building coverage:
 - (a) Principal building: 3%.
 - (b) Accessory buildings: 1%.
- (8) Density: 1 dwelling unit/15 acres.
- (9) Maximum building height: 2 1/2 stories or 35 feet.
- (10) Minimum setback from streams/creeks: All development must be setback to create a stream corridor which is defined as the one-hundred-year floodplain plus a strip fifty feet (50') wide landward from the one-hundred-year floodplain or from the top of the bank of the stream where there is no one-hundred-year floodplain.

AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP
CODE AT SECTION 103 –“ZONING” IN PARTICULAR, THE PROVISIONS OF SECTION
103-17 ADDRESSING THE CONSERVATION DISTRICT

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to amend the Zoning Ordinance to make certain revisions to their zoning requirements for the conservation districts. This area is primarily comprised of wetlands and wetlands mitigation areas.

SECTION II.

The following is to be inserted as section 103-17.1:

§ 103-17.1 CNS Conservation District

- A. Permitted principal uses. The following principal uses are permitted in CNS District:
- (1) Single-family dwellings.
 - (2) Agricultural activities including, but not limited to, farms, nurseries, agribusiness and commercial or wholesale activities apropos to the agricultural trade.
 - (3) Forestry activities which are consistent with the guidelines contained in the New Jersey Forestry and Wetlands Best Management Practices Manual developed by the Department of Environmental Protection and only upon submission of an approved New Jersey Forest Stewardship Plan or a letter from the State Forester indicating that the proposed forestry activities are consistent with the New Jersey Forestry and Wetlands Best Management Practices. Any such activity taking place on wetlands areas shall only be permitted upon presentation of any required Wetlands Permits issued by the New Jersey Department of Environmental Protection.
 - (4) Wetlands preservation and wetlands mitigation projects.
- B. Accessory uses. The following accessory uses are permitted in CNS Districts:
- (1) Customary farm buildings for the storage of products or equipment located on the same parcel as the principal uses.
 - (2) Accessory dwellings for domestic or household employees or farm workers, provided that the total number of dwelling units on the lot shall not exceed one for each six acres of lot (farm) area and that each such dwelling shall contain not less than 600 square feet of gross habitable floor area.
 - (3) Private garages and carports.

- (4) Signs, subject to the provisions of Article XIV, § 103-41 et seq.
- (5) Fences, subject to the provisions of §§ 103-47 and 103-48.
- (6) Private swimming pools, subject to the provisions of § 103-9F.
- (7) Home Office Occupation.
- (8) Homecrafts, subject to the provisions of § 103-56.

C. Conditional uses. The following conditional uses are permitted in the CNS District:

- (1) Public utilities, subject to the provisions of Section 103-53.
- (2) Home Professional Occupation, subject to the provisions of § 103 – 57.

D. Area and yard requirements for the CNS District shall be as follows:

- (1) Minimum lot area: 15 acres.
- (2) Minimum lot frontage: 350 feet.
- (3) Minimum lot width: 350 feet.
- (4) Minimum lot depth: 400 feet.
- (5) Minimum setbacks, principal building:
 - (a) Front yard: 150 feet.
 - (b) Side yard, each: 100 feet.
 - (c) Rear yard: 100 feet.
- (6) Minimum setbacks, accessory structures:
 - (a) Front Yard: Not allowed.
 - (b) Distance to side line: 100 feet.
 - (c) Distance to rear line: 50 feet.
 - (d) Distance to other building: 20 feet.
- (7) Maximum building coverage:
 - (a) Principal building: 3%.
 - (b) Accessory building(s): 1%.
- (8) Density: 1 dwelling unit/15 acres.
- (9) Maximum building height: 2 1/2 stories or 35 feet.

AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP
CODE AT SECTION 103 –“ZONING” IN PARTICULAR, THE PROVISIONS OF SECTION
103-4 ADDRESSING THE DEFINITIONS AND AMENDMENTS

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to amend the Zoning Ordinance to make certain revisions to their definitions and amendments.

This amendment to the Zoning Ordinance proposes to revise the definition of Agriculture and Duplex and to include the following additional definitions: Bed and Breakfast, Farmstand, and Stream Corridor.

SECTION II.

Remove the definition of Agriculture in its entirety and replace with the following:

Agriculture — The production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules or goats or any grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation, forestry management or wetlands mitigation program. In addition, the following agricultural related uses shall be considered under this definition: agri-tourism and eco-tourism operations, cooperative wholesale agricultural product distribution facilities, commercial equestrian and ranch facilities, riding and boarding stables, farmstands, retail sales of equipment and supplies related to equestrian or riding operations and wineries on lands used for orchards for the growing of grapes and other fruits. (The use of products grown off site shall be permissible for wineries.) Agriculture shall include all activities identified as permissible under the New Jersey Right to Farm Act (as amended by P.L. 1998, c.48) , Section 4:1C-9.

The definition of Duplex shall be amended to delete the last sentence, “The above will be known as a duplex which shall be prohibited in all zones.” The definition of Duplex shall read as follows:

Duplex — A building designed for and occupied exclusively as a residence for only one family, applied to one of two houses which are detached from other buildings and joined together by a single-party wall.

The definitions shall be amended to include the following:

Bed and Breakfast — The use of a private home to offer overnight accommodations and food service, primarily breakfast, for paying guests. The ownership and management of the bed and breakfast must be under the owner of the property. Prior to operation, a bed and breakfast must complete any required registrations with the State of New Jersey, Bureau of Housing Inspection and must secure any required food handling permits from the Township of Eastampton and/or Burlington County.

Farmstand — A facility used for the retail marketing of the agricultural output of a farm or agricultural use.

Stream Corridor — The one-hundred-year floodplain plus a strip fifty feet (50') wide landward from the one-hundred-year floodplain or from the top of the bank of the stream where there is no one-hundred-year floodplain.

AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP
CODE AT SECTION 103 –“ZONING”

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to amend the Zoning Ordinance to make certain revisions to their zoning requirements.

SECTION II.

Delete current section 103-5 in its entirety and replace with the following:

§ 103-5 Establishment of districts.

For the purpose of this chapter, the Township of Eastampton is divided into the following zoning districts:

R-A	Rural Agricultural District
ACR	Agricultural / Commercial / Recreation District
R-L	Residential Low Density District
RU-L	Rural Residential Low Density District
R-M	Residential Medium Density District
R-H	Residential High Density District
R-1B	Residential District
CNS	Conservation District
CLR	Cultural Recreational, Residential
TCD	Town Center District
CH	Commercial Highway District
BP	Business Park District
PO	Planned Office District

Amend section 103-9.N.(11) to eliminate and replace the reference to the C-3 District with the CH District. The amended section shall read as follows:

- (11) Drive-through eating establishments are prohibited in all zones, except that drive-through restaurants are permitted in the CH District only as a conditional use.

Amend section 103-15.E. to eliminate and replace the reference to the R-2 Residential District with the R-H Residential High Density District. The amended section shall read as follows:

- E. Multifamily projects. The following requirements are applicable to multifamily structures in the R-H Residential High Density District.

Amend section 103-48.D. to eliminate the reference to the Village Center District (VCD) and replace with Town Center District (TCD). The amended section shall read as follows:

- D. Conditions for Town Center District (TCD) and residential and retail sales properties fronting Woodlane and Monmouth Roads.

Amend section 103-49.L. to eliminate and replace the reference to the C-2 Commercial District with the CH Commercial Highway District. The amended section shall read as follows:

- L. Overnight and Sunday parking in off-street parking areas located in the CH Commercial Highway District is prohibited except for those vehicles involved in or connected with the businesses being conducted on the premises.

Amend the title paragraph of section 103-54. to eliminate and replace the reference to the C-2 and C-3 Districts with the CH Commercial Highway District. The amended section shall read as follows:

Motor vehicle service stations may be permitted in the CH Commercial Highway District, provided that the standards contained in this section are observed

Amend the title paragraph of section 103-57.2.C.(1)(b) to eliminate and replace the reference to C-3 with CH and to eliminate the following text “(but not the BP/LD or BP/ACR Zone)”. The amended section shall read as follows:

- (b) Antennas and towers may only be constructed and/or located or erected in the following areas of the Township: all property located in the CH Zone, the BP Zone, that portion of the RA Zone bordered by Monmouth Road, Springfield and Westampton Township (but not within 1,000 feet of any existing road in the RA Zone only); municipal property, but not including the Municipal Building property located at 12 Manor House Court, Eastampton, New Jersey (08060).

Amend section 103-88.C.(1) to eliminate the reference to the Village Center District (VCD) and replace with Town Center District (TCD). The amended section shall read as follows:

- (1) The redevelopment area is located in the northern third of the Township and is focused on Woodlane Road. Beginning at the Township’s western borders with Westampton and Mt. Holly Townships, it includes most of Block 200 and 300. Continuing eastward, it follows Woodlane Road through the intersection with Monmouth Road (Town Center

District) and continues on to Smithville Road, where it includes three of the four corners. It does not include the property hosting the Olde World Bakery on the northeastern corner. The redevelopment area also includes all the lands within the triangle formed by the interior boundaries of Monmouth, Woodlane and Smithville Roads, which is the 600 block on the Township's tax map. However, it does not include two church properties that occupy lots 2.04 and 2.06 in the 600 block. It contains 788.51 acres.

Amend section 103-94.A. to read as follows:

- A. The Township met its Round 2 fair-share obligation of affordable housing units (The Pennrose Development) which are located within Block 300, Lot 2.02, the redevelopment area, and is zoned as R-1B, Residential. As indicated in § 103-90A(1), this zoning will remain in place.

Amend section 103-95.B. to eliminate the reference to commercial residential (C-1), and to remove the reference to the Village Center District (VCD) and replace with Town Center District (TCD). The amended section shall read as follows:

- B. Recommended use purposes. The Master Plan recommended much of the redevelopment area remain designated for mixed-use commercial residential (TCD). The redevelopment plan incorporates these uses, but better defines the preferred pattern of development

Amend section 103-96.A. to eliminate article (2) and renumber the remaining articles, remove the reference to the Village Center District (VCD) and replace with Town Center District (TCD), and to eliminate the word "inclusionary". The amended section shall read as follows:

- A. The official Zoning Map for the Township designates the redevelopment area of the Township area for the following uses:
 - (1) Town Center District (TCD).
 - (2) Residential District (R-1B).
 - (3) High-Density Residential (HD).

Landscaping FINAL

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AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP CODE AT SECTION 103-"ZONING" IN PARTICULAR, THE PROVISIONS OF SECTION 103-46 ADDRESSING THE LANDSCAPING AND FENCING REQUIREMENTS

ORDINANCE NO. 2008-

BE IT ORDAINED, by the township Council of the Township of Eastampton, in the County of Burlington and the State of New Jersey, as follows:

SECTION 1. INTRODUCTION

In response to the recent re-examination of the township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the land Use Planning board on March 31, 2007, the Township Council now seeks to amend the Zoning Ordinance to make certain revisions to their zoning requirements for landscaping and fencing.

SECTION II.

Delete current section 103-46 in its entirety and replace with the following:

§ 103-46 Required Landscaping

- A. Required Landscaping shall be in compliance with the following ordinances in addition to this section:
 - (1) Chapter 79 Shade Trees
 - (2) Article VI Major Subdivision, 88-15A (12.1) Revegetation Plans
 - (3) Article VII Site Plans, 88-30 (15.1) Revegetation Plans
 - (4) Article IX Design Standards, 88-53.11 Street Shade Trees, Existing Trees
 - (5) Article IX Design Standards, 88-53.12 Buffers
- B. Landscape Requirements, Yards
 - (1) Native species of landscaping shall be used to the maximum extent possible. The following minimum planting sizes shall be required:
 - (a) Evergreen trees. The minimum height at the time of planting shall be six to seven feet, except when used in a landscape buffer between residential and non-residential uses the minimum planting height shall be eight feet.
 - (b) Evergreen and deciduous shrubs in landscape buffers. The minimum height at the time of planting shall be three to four feet.
 - (c) Evergreen and deciduous shrubs not in landscape buffers. The minimum height at the time of planting shall be two to three feet.
 - (d) Ornamental trees. The minimum height at the time of planting shall be eight to nine feet.

- (e) Deciduous trees and Street trees. The minimum size shall be 2 ½ to 3 inches in caliper measured 6" above grade at time of planting. Multi-stemmed deciduous trees may be used in buffer areas only and must be a minimum height 8 to 10 feet at the time of planting.
- (2) Street trees. Street trees shall be planted along the entire length of the street frontage(s) of the property, all in accordance with an approved landscape plan. A minimum of one tree for every 50 linear feet of street frontage(s) shall be required. Trees shall be planted at regular intervals but the spacing may be adjusted due to the location of utility poles and/or driveways as approved by the municipal agency's engineer. The street trees shall be planted within the right of way on Township Roads and behind the ROW line on County Roads and State Highways. If a street tree cannot be placed at the 50 feet spacing due to site limitations, the equivalent number of street trees is still required to be planted on the site.
- (3) Front yard. A landscaped planting area of 25 feet in depth shall be provided along the street line. The planting area shall be landscaped in an informal manner utilizing a mix of evergreen and deciduous plant material. The plant material should include evergreen and ornamental trees as well as a variety of shrubs and groundcovers that provide a variety of height, color and texture. The use of berms is encouraged for added visual interest. Parking may be provided between the required landscape area and the building line. Pedestrian/bicycle paths may be placed within the landscape area and through the buffer if so permitted by the approving authority.
- (4) Side and rear yards. Along each side property line a landscape area of at least 15 feet in width or 5% of the average lot width, whichever is larger, up to a maximum of 25 feet shall be provided. Along each rear property line, a landscaped buffer of at least 20 feet in depth shall be provided.
- (5) Landscape buffers shall be required between nonresidential and residential uses and/or districts. A landscape buffer shall consist of a strip of land fifty feet wide along the edge of the district boundary or residential use. There shall be located within the twenty-five feet of said strip closest to the district line or residential use natural or planted trees and shrubbery in sufficient quantity to adequately buffer the nonresidential use.
- (6) All land not covered with buildings, parking or other impervious surfaces shall be landscaped with suitable materials for landscape purposes.
- (7) Stormwater management basins shall not be permitted between any required landscape area and the street line.

C. Landscaping Buffer Requirements and Design

- (1) Landscaping consisting of attractive trees, shrubs, plants and grass lawn shall be required and planned in accordance with the site and subdivision plans. Buffer planting as defined in this chapter shall be provided along the side and rear property line of all nonresidential zones or uses so as to provide protection to adjacent properties where such lot lines abut residential zones or uses. In addition, buffer plantings shall be provided along the property lines of all residential projects where

such projects are adjacent to residential or nonresidential zones, schools, county roads and historical sites. Such buffers shall be on the residential property and shall be in addition to the buffers required in nonresidential zones. ***Required buffer widths abutting zoning or land use is included in the schedule for "Required Buffer Width (in feet) Abutting Zoning or Land Use" at the end of this chapter.***

- (2) Landscape buffers shall consist of a combination of deciduous trees, coniferous and evergreen trees, evergreen and deciduous shrubs, and, if the municipal agency deems appropriate, berms, fences or walls in sufficient quantities and sizes designed to continuously limit the view of and/or sound from the site to adjacent sites or properties.
- (3) Landscape buffers shall be continuous except for access drives as approved by the municipal agency.
- (4) Landscape material shall be arranged in an informal manner that avoids a hedge like appearance. Evergreen trees shall be staggered and supplemented with shrubs and ornamental trees in order to achieve effective screening and visual interest.
- (5) Landscape buffers shall be densely planted but the planting shall not constitute a monoculture. Plant material shall be a combination of deciduous and evergreen trees and shrubs in the following proportions:
 - (a) Evergreen trees: 40%
 - (b) Evergreen shrubs: 30%
 - (c) Deciduous trees: 10%
 - (d) Deciduous shrubs: 20%
- (6) Plant variety. A minimum of two different genera of plants shall be incorporated for each plant type, e.g., evergreen trees, deciduous trees, evergreen and deciduous shrubs.
- (7) Stormwater management facilities, parking, dumpster enclosures, accessory buildings or other aboveground structures and similar encroachments shall not be permitted in the required buffer area.
- (8) Existing vegetation may be considered by the municipal agency as an alternative to the installation of a landscape buffer.
- (9) Off street parking areas with 20 or more parking spaces shall be provided with shade trees of a type approved by the Township engineer. The minimum size shade tree shall be 2 ½ to 3 inches in caliper at time of planting. The shade trees shall be planted in a planned manner within the parking lot area in quantity equal to not less than one shade tree for every 10 parking spaces. The minimum width of planting islands shall be nine feet.
- (10) Absent existing natural vegetation, for each 25 feet of required buffer width or part thereof, there shall be planted two staggered rows of major evergreen material and one row of minor material. The major species shall be a minimum of six to eight feet in planting height, the minor species shall be a minimum of two to four feet in planting height. These shall be planted at on-center distances adequate to provide 75% screening within three years when viewed at six feet, plus or minus height.

For a buffer width of 75 feet or more, deciduous trees and fencing may substitute, as approved by the reviewing board.

D. Parking lot landscaping, buffering and screening.

- (1) Lots for apartment and nonresidential uses shall balance the functional requirements of parking with the provision of pedestrian amenities. Transition areas between parking and civic, commercial, or residential uses shall be designed with textured paving, landscaping, and street furniture approved by the Land Use Planning Board.
- (2) Parking lot layout, landscaping, buffering, and screening shall be provided to minimize direct views of parked vehicles from streets and sidewalks, avoid spill-over light, glare, noise, or exhaust fumes onto adjacent properties, in particular residential properties, and provide the parking area with a reasonable measure of shade, when trees reach maturity. In order to achieve these objectives, parking lots exposed to the public view shall be surrounded by a minimum of a three-foot high, year-round visually impervious screen, hedge, or wall. However, where these buffers are used to screen driveways or approach sidewalks or walkways, the walls will be located in a manner to provide adequate visibility of pedestrians from motor vehicles, and shall not interfere with clear sight triangle requirements.
- (3) The interior of all parking lots shall be landscaped to provide shade and visual relief. This is best achieved by protected planting islands or peninsulas within the perimeter of the parking lot. Parking lots with 10 or less spaces may not require interior landscaping if the approving authority determines that there is adequate perimeter landscaping. In parking lots with 11 or more spaces, a maximum of one deciduous shade tree shall be required to be planted in the parking lot for every five parking spaces. A one hundred square foot planting area, or equivalent planter, is required per tree. Choice of plant materials, buffer width, type of screening, location, and frequency of tree planting shall be flexible, provided these objectives are designed to the satisfaction of the Land Use Planning Board.
- (4) Parking lot layout shall take into consideration pedestrian circulation. Pedestrian crosswalks shall be provided, where necessary and appropriate, shall be distinguished by textured paving, and shall be integrated into the wider network of pedestrian walkways. Pavement textures shall be required on pedestrian access ways, and strongly encouraged elsewhere in the parking lot, as surfacing materials, or when used as accents and as approved by the Land Use Planning Board.

**AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP
CODE AT SECTION 103 --"ZONING" IN PARTICULAR, THE PROVISIONS OF SECTION
103-17 ADDRESSING THE RESIDENTIAL DISTRICTS**

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to amend the Zoning Ordinance to make certain revisions to their zoning requirements for the residential districts.

SECTION II.

Delete current section 103-17 in its entirety and replace with the following:

§ 103-17 R-1B Residential District

- A. Permitted principal uses. The following principal uses are permitted in the R-1B District:
- (1) Duplex dwellings.
 - (2) **Multifamily** Dwellings.
 - (3) Townhouses, subject to the provisions of § 103-15E, Standards for multifamily projects, where applicable.
- B. Accessory uses. The following accessory uses are permitted in the R-1B District:
- (1) Private garages and carports.
 - (2) Signs, subject to the provisions of Article XIV, § 103-41 et seq.
 - (3) Fences, subject to the provisions of § 103-47 and 48.
 - (4) Off-street parking facilities, subject to the provisions of Article XVI.
 - (5) Private swimming pools, subject to the provisions of § 103-9F.
 - (6) Home office occupations.
 - (7) Utility and storage buildings.
 - (8) Homecrafts, in accordance with § 103-56.
- C. Conditional uses. The following conditional uses are permitted in the R-1B District:
- (1) Public utilities, in accordance with § 103-53.
 - (2) Home professional occupations, in accordance with § 103-57.
- D. Density, area and yard requirements for the R-1B District shall be as follows:

- (1) For rental developments or developments where all units are under common ownership, the standards in § 103-15D (2) and § 103-15E shall apply, except as provided below:
 - (a) Minimum lot area: 5 acres.
 - (b) Minimum site perimeter setback: 50 feet.
 - (c) Maximum building coverage: 35%.
 - (d) Maximum impervious coverage: 65%.
 - (e) For density maximums, see schedule A.
 - (2) For developments wherein units are owned on a fee simple basis, see Schedule A for requirements, except as provided below:
 - (a) Minimum lot area: 5 acres.
 - (b) Minimum site perimeter setback: 50 feet.
 - (c) Maximum impervious coverage: 65%.
- E. Maximum building height: 2 ½ stories or 35 feet.
- F. Parking and circulation: Requirements shall be as set forth in §§ 103-49, 103-50 and 103-51.
- G. Landscaping: Requirements shall be as set forth in §103-46.
- H. Signs: Signs shall be as set forth in § 103-41 et seq.

**AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP
CODE AT SECTION 103 –“ZONING” IN PARTICULAR, THE PROVISIONS OF SECTION
103-12 ADDRESSING THE RA- RURAL AGRICULTURAL DISTRICT**

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to amend the Zoning Ordinance to make certain revisions to their zoning requirements for the agricultural districts. Eastampton has two (2) residential/agricultural districts, RA and RA-H. The re-examination report addressed both districts and the goals and objectives for agriculture. The plan as depicted in the 5/12/07 Zoning Map proposed a re-designation of the RA and RA-H areas in the southeastern corner of town, proposing the name Agricultural/Commercial/Recreation or ACR in recognition of the goal to provide greater support for the now preserved farms straddling Powell Road. An expanded definition of agriculture is provided as well as provision for bed and breakfast operations and other forms of agri-tourism. This revision eliminates the R-AH District.

SECTION II.

The Township Council amends the ordinance as follows:

Delete current section 103-12 in its entirety and replace with the following:

§ 103-12. R-A Rural Agricultural

- A. Permitted principal uses. The following principal uses are permitted in R-A District as indicated:
- (1) Single-family dwellings.
 - (2) Agricultural uses.
 - (3) Farms.
 - (4) Customary and conventional farming operations, except that no storage of manure or other odor- or dust-producing substances or uses shall be permitted within 100 feet of any residential property line.
 - (5) Farm dwelling of farm owner or land manager of the land on which said farm dwelling is situated.
 - (6) Golf courses.
 - (7) Farmettes, i.e., single-family residences of the more traditional architecture characterized by the existing historic farm buildings in the Township and County.
- B. Accessory uses. The following accessory uses are permitted in R-A Districts:

RA and ACR FINAL

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- (1) Customary farm buildings for the storage of products or equipment located on the same parcel as the principal uses.
- (2) Farm stands.
- (3) Accessory dwellings for domestic or household employees or farm workers, provided that the total number of dwelling units on the lot shall not exceed one for each six acres of lot (farm) area and that each such dwelling shall contain not less than 600 square feet of gross habitable floor area.
- (4) Private garages and carports.
- (5) Signs, subject to the provisions of Article XIV, § 103-43.
- (6) Fences, subject to the provisions of §§ 103-47 and 103-48.
- (7) Off-street parking facilities, subject to the provisions of §§ 103-49 and 103-50.
- (8) Private swimming pools, subject to the provisions of § 103-9F.
- (9) Home office occupations.
- (10) Homecrafts, subject to the provisions of § 103-56

C. Conditional uses.

- (1) Public utilities in accordance with Section 103-53.
- (2) Satellite antennas in accordance with Section 103-57.1.
- (3) Home Professional Occupations, subject to the provisions of § 103-57.
- (4) Child-care centers.
- (5) Quasi-public buildings and recreation areas.

D. Area and yard requirements for the R-A and ACR Districts shall be as follows:

- (1) Minimum lot area: 15 acres.
- (2) Minimum lot frontage: 350 feet.
- (3) Minimum lot width: 350 feet.
- (4) Minimum lot depth: 400 feet.
- (5) Minimum setbacks:
 - (a) Principal building.
 - [1] Front yard: 150 feet.
 - [2] Rear yard: 100 feet.
 - [3] Side yard, each: 100 feet.
 - (b) Accessory structures.
 - [1] Distance to side line: 100 feet. *
 - [2] Distance to rear line: 50 feet.
 - [3] Distance to other building: 20 feet.

*Accessory buildings for agricultural uses may be as close as 50 feet to a side property line, provided the structure is not used to house livestock.

- (6) Maximum building coverage.
 - (a) Principal buildings: 3%.
 - (b) Accessory building(s): 1%.
- (7) Density: 1 dwelling unit/15 acres.

- (8) Maximum building height: 2 1/2 stories or 35 feet except that barns shall not exceed 50 feet.

E. Review of Farm stands uses:

Farm stands shall be subject to the review of the Construction Official in regard to the New Jersey Uniform Construction Code. They shall also be subject to the review of the Land Use Planning Board Engineer in regard to access to a public street, parking, public safety and stormwater management.

Delete current section 103-12.1 in its entirety and replace with the following:

§ 103-12. 1 ACR Agricultural/Commercial/ Recreation

- A. Permitted principal uses. The following principal uses are permitted in ACR District as indicated:
 - (a) All uses in the RA District, except golf courses.
 - (b) Agricultural/Agri-Tourism oriented uses, e.g. buildings or uses proposed to expand the opportunities to sell and display the products and process of agriculture or to provide attractions to encourage public use of a farm, e.g., hay-rides, animal feeding areas, etc
- B. Accessory uses. The following accessory uses are permitted in ACR Districts:
 - (1) All accessory uses permitted in the RA District.
- C. Conditional uses.
 - (1) Bed and breakfast facilities.
- D. Miscellaneous. A portion of the ACR district is located in the "Historic District" as defined in Section 103-40.2 et seq.
- E. Area and yard requirements for the ACR Districts shall be as set forth in section 103-12 et seq.
- F. Review of Agri-Tourism uses:

Agri-Tourism uses, including buildings and uses proposed to attract customers for more than typical farm stand sales, shall be subject to site plan review. The standards for that review shall be those found in Section 88 with access, traffic, parking, public safety, sanitation facilities and stormwater management the primary subjects of the application.

Section 88 FINAL

Page 1 of 3

AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP CODE AT SECTION 88 –“SUBDIVISION OF LAND AND SITE PLAN REVIEW”

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to amend the Subdivision of Land and Site Plan Review Ordinance to make certain revisions to their requirements related to the Village Center District.

SECTION II.

The Township Council hereby amends Chapter 88 as follows:

Section 88-53.1.DD.(1) shall be removed in its entirety and replaced with the following:

- (1) The capacity of the proposed intersection shall be calculated by a licensed engineer based upon peak traffic volume and the existing traffic volumes of the intersected road.

All references to the Village Center Zoning District are to be removed and amended to refer to the Town Center District as follows:

Section 88-51.B. shall be amended to remove and replace the word “Village” with “Town”.

Section 88-51.B. shall read as follows: “Design standards for the Town Center District are provided in Article X. Where the Town Center District standards are not specifically addressed in Article X, Article IX, Design Standards, shall prevail.”

The title of ARTICLE X is to be amended as follows:

The word “Village” is to be removed and replaced with “Town”. The title of Article X is to read **“Town Center Design Standards”**.

Section 88-54. shall be amended to remove and replace the word “Village” with “Town” and to remove and replace the abbreviation “VCD” with “TCD”.

Section 88-54. shall read as follows: “The applicant shall observe the requirements and principles of land subdivision and site plan development in the design of each minor and major subdivision or portion thereof or site plan development in a manner also conforming with other ordinances of the township, as well as this land subdivision and site plan chapter. Where the Town Center District (TCD) standards are not specifically addressed in Article X, Article IX, Design Standards, shall prevail.”

Section 88-54.1.B. shall be amended to remove and replace the word “Village” with “Town” and to remove and replace the abbreviation “VCD” with “TCD”.

Section 88-54.1.B. shall read as follows: “Street layouts in the TCD shall be aimed at achieving a grid or modified grid pattern connected to the existing major street network and adapted to the existing topography, unique environmental constraints of the tract and both internal and peripheral open space. The street layout takes into consideration the location of existing and potential landmarks, focal points, vistas, gateways, gardens, commons and plazas. Linkages to adjacent developments and neighborhoods that facilitate direct connection to the Town Center and particularly with pedestrian and bicycle paths are required. The use of alleys for both commercial and residential uses is highly recommended.”

Section 88-54.1.E. shall be amended to remove and replace the abbreviation “VCD” with “TCD”.

Section 88-54.1.E. shall read as follows: “The following street types are provided for in the TCD when residential site improvement standards do not apply:”

Section 88-54.2.A. shall be amended to remove and replace the abbreviation “VCD” with “TCD”.

Section 88-54.2.A. shall read as follows: “New blocks within TCD. The streets shall be designed to create blocks that are generally rectilinear in shape, a modified rectilinear shape or another distinct geometric shape. Amorphously shaped blocks are not permitted, except where topographic or other conditions necessitate such a configuration.”

Delete current section 88-54.3. in its entirety and replace with the following:

§ 88-54.3. Open space: parks, green and plazas.

- A. For the TCD only, the following regulations supersede § 88-53.3, Recreation and open space standards.
- B. A contiguous area over one acre shall provide no less than 10% of the area for Town Center parks, greens and plazas and shall remain as such in perpetuity and shall be deed restricted. Town Center parks, greens and plazas shall be used for social or recreational purposes and portions may be used for commercial activities such as outdoor dining purposes provided approval is first obtained from the Township Council, which may consult the Land Use Planning Board.
- C. Nonperipheral open spaces should be surrounded by buildings that enclose and define the central space. The relationship of the height of surrounding buildings to the width of the open space should fall between 1:1 and 1:5 to assure a spatial definition.
- D. The ownership, administration and maintenance of Town Center parks and plazas shall be arranged to be in accordance with one or more of the following:
 - (1) The Township may accept dedication of Town Center parks, plazas or greens or any interest therein for public use and maintenance for no consideration to be paid by the Township. Unless waived by the Township Council at the time of approval, the Township shall have the option to accept all or any portion of the Town Center parks, plazas and greens.

- (2) Should the Township Council not accept the dedication of open space, the landowner will establish an automatic-membership property owners' association made of the owners of property in the given section of the redevelopment area for the purpose of owning, administering and maintaining Town Center parks, plazas and greens. Said association(s) may be comprised of all property owners, single-family residential owners and/or commercial/mixed use property owners. The association shall not be dissolved nor shall it dispose of the Town Center parks, plazas and greens by sale or otherwise (except to an organization conceived and established to own or administer Town Center parks, plazas and greens approved by the Township Council) without first offering the Town Center parks, plazas and greens for dedication to the Township. The association shall be empowered to levy and collect assessments from the property owners of the section to cover replacements, working capital, operating expenses, insurance against casualty and liability and contingencies.
- (3) In the event that the organization established to own and maintain Town Center parks, plazas and greens fails to maintain said areas in accordance with the development plan, Chapter 71, Property Maintenance, and Chapter 33, Brush, Grass and Weeds, the Township Manager or his/her designee may serve written notice upon such organization or upon the property owners of the section(s). Said notice shall set forth the manner in which the Town Center parks, plazas and greens have failed to be maintained in reasonable condition and the applicable penalties should the conditions not be corrected.

Section 88-55.B.(5) shall be amended to remove and replace the word “Village” with “Town”.

Section 88-55.B.(5) shall read as follows: “Buildings located at “gateways” into and out of the Township and Town Center shall mark the transition in a distinctive fashion using massing, additional height, contrasting materials and/or architectural detailing to obtain this effect.”

Section 88-55.F.(1) shall be amended to remove and replace the word “Village” with “Town”.

Section 88-55.F.(1) shall read as follows: “Streetlights shall be consistent throughout the Township (Town Center District Community Design Guide).”

AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP
CODE AT SECTION 103 –“ZONING” IN PARTICULAR, THE PROVISIONS OF SECTION
103-12 ADDRESSING THE TOWN CENTER DISTRICT

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance
of the recommendations made within the Re-Examination Report of November 2006, adopted as
revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to
amend the Zoning Ordinance to make certain revisions to their zoning requirements for the Town
Center District.

SECTION II.

The Township Council hereby amends section 103-90.1 as follows:

Add the following as new section 103-90.1.C.:

C. TCC Town Center Civic District

- (1) Permitted uses:
 - (a) Commercial recreation, such as, but not limited to, miniature golf and driving ranges.
 - (b) Agriculture activities, including, but not limited to, farms, nurseries, agribusiness and commercial or wholesale activities apropos of the agricultural trade.
 - (c) Active and recreational open space to be designed in accordance with Chapter 88 and this chapter.
 - (d) Passive open space and conservation areas.
 - (e) Golf course. The following golf standards shall apply:
 - [1] Golf courses, laid out for golf with 18 holes, and supporting buildings and facilities, including but not limited to:
 - [a] Clubhouses containing a managers office, locker facilities, seating or lounge areas, dining or refreshment facilities and the retail sales of golf-related clothing, equipment and other items.
 - [b] Maintenance buildings for buildings and grounds.
 - [c] Golf cart maintenance and storage facilities.
 - [d] Pools, tennis courts and other related recreation facilities.
 - [2] Standards.
 - [a] Area and bulk standards.
 - i. Minimum size of a golf course: 150 acres.

- ii. Maximum building height (clubhouse): 35 feet.
 - [b] Setback standards:
 - i. Principal building setbacks.
 - ii. Front yard: 75 feet minimum.
 - iii. Side yard: 25 feet minimum.
 - iv. Rear yard: 50 feet minimum.
 - v. Accessory structure setbacks: 20 feet minimum from all property lines.
 - [c] Coverage standards.
 - i. Maximum building coverage: 10%.
 - ii. Maximum impervious coverage: 20%.
 - [d] Parking requirements.
 - i. Golf course: 60 spaces per nine holes of golf.
 - ii. Clubhouse: 1 space per 200 square feet of floor area, not including storage or maintenance areas.
 - iii. Maintenance facilities: 1 space per two employees.
 - [e] General standards.
 - i. The golf course shall have a layout designed by a qualified golf course architect. Qualifications shall include membership in the American Society of Golf Course Architects (ASGCA), or similar professional organization.
 - ii. The area of the golf course may be used for the management of stormwater runoff from the adjacent land uses as part of a comprehensive stormwater management system for the area of development.
 - iii. The area of the golf course may be considered as open space and buffers for the adjacent land uses in the area of development.
- (2) Accessory uses. Any accessory use customarily incidental to any permitted use in the district.
- (3) Area and bulk requirements.
- (a) Driving range.
 - [1] Minimum site area: 15 acres.
 - [2] Minimum frontage: 350 feet.
 - [3] Maximum coverage: 35%.
 - [4] Perimeter setback: 75 feet.
 - (b) Miniature golf.
 - [1] Minimum site area: 2 acres.
 - [2] Minimum frontage: 200 feet.
 - [3] Maximum coverage: 35%.

- [4] Perimeter setback: 75 feet.
- (c) Agricultural activities.
 - [1] Minimum site area: 5 acres.
 - [2] Minimum frontage: 350 feet.
 - [3] Maximum coverage: 3%.
 - [4] Setbacks for principle structure.
 - i. Front: 150 feet.
 - ii. Side: 100 feet.
 - iii. Rear: 100 feet.
 - [5] Setbacks for accessory uses.
 - i. Front: accessory uses not permitted in front yard setback.
 - ii. Side: 50 feet.
 - iii. Rear: 50 feet.
- (d) Active recreational open space. See Chapter 88 of the Township Code for design standards.
- (4) Miscellaneous. Signs, landscaping, parking, lighting and other criteria shall be as set forth in §§ 103-41.1, 103-46 and 103-49, respectively.

AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP
CODE AT SECTION 103 –“ZONING” IN PARTICULAR, THE PROVISIONS OF SECTION
103-19 ADDRESSING THE VILLAGE CENTER DISTRICT

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to amend the Zoning Ordinance to make certain revisions to their zoning requirements for the village center district.

SECTION II.

The Township Council hereby amends Section 103-19 as follows:

The title of ARTICLE VI is to be amended as follows:

The word “Village” is to be removed and replaced with “Town”. The title of Article VI is to read **“Town Center District Zoning”**.

All references to the Village Center Zoning District are to be removed and amended to refer to the Town Center District.

The title paragraph of section 103-19, General principles, shall be amended to remove and replace the abbreviation “VCD” with “TCD”. The title paragraph shall be amended to read as follows:

“The Town Center District, TCD, is provided to encourage the development of a mixed use neighborhood that complements existing neighborhoods and quality of life in the Township by providing for a pattern of development and redevelopment that:”.

Section 103-19.1.C. (3) shall be amended to remove and replace the abbreviation “VCD” with “TCD”.

Section 103-19.1.C. (3) shall read as follows: “Home offices in the TCD are permitted, provided:”

The following articles are to be added after section 103-19.1 D.:

- E. Parking and circulation: Requirements shall be as set forth in §§ 103-49, 103-50, 103-51, and 103-90.2 E. (18).

- F. Landscaping: Requirements shall be as set forth in §103-46.
- G. Signs: Requirements shall be as set forth in § 103-41 et seq. and 88-55H.
- H. Lighting: Requirements shall be as set forth in § 88-55F. et seq

The following articles are to be added to section 103-19 General principles:

- I. Bike paths, sidewalks, and benches shall be integrated where possible in all new development. Regarding pedestrian and bicyclist access and safety, refer to the New Jersey Department of Transportation (NJDOT) Pedestrian Compatible Planning and Design Guidelines, and the NJDOT Bicycle Compatible Roadways and Bikeways. Bicycle racks should be installed where appropriate.
- J. Development and redevelopment shall include comprehensive landscaping plans that emphasize the preservation of mature, healthy vegetation, consistent with design standards set forth in this Township Ordinance.
- K. Ground-level utility boxes and mechanical equipment shall be concealed from public view, primarily through the use of landscaping.
- L. Locating stormwater management basins along road frontage should be discouraged and the basins should be concealed from public view to the greatest extent possible.
- M. Community gathering places, such as village greens or small parks, shall be encouraged, and appropriately incorporated into developments whenever possible.
- N. Water conservation and water quality design techniques shall be used in site design wherever possible including the preservation of existing vegetation; the use of landscaping which requires little or no surface spray irrigation or the use of subsurface trickle irrigation where necessary for the viability of trees and shrubs; the control of excessive paving and other impervious surfaces and the design of natural stormwater management facilities.
- O. The use of site and street furniture and improvements including benches, tables, trash receptacles, bike racks, pedestrian walkways, planters and lighting consistent with traditional community character is encouraged.
- P. Parking lots shall be designed to accommodate and encourage safe and convenient pedestrian movement. Parking lots shall also be designed to provide clear on-site visibility for security and safety purposes. Landscaping and buffering should be used abundantly to minimize street view of parking lots. Parking lots and drive-through windows where permitted, should be placed behind buildings where possible. Primary building frontage and orientation shall be toward the street.

- Q. The Town Center District is comprised of overlay zones and is located in a redevelopment area. Each district has a feature that distinguishes one zone from another. The requirements for the overlay districts are contained in Section 103-90 et. seq. of this ordinance. The Town Center District (TCD) includes the following Zoning Designations:

TCM1	Town Center Mixed Use
TCM2	Town Center Mixed Use
TCO	Town Center Commercial / Office
TCR	Town Center Single Family Residential
TCC	Town Center Civic
TCVO	Town Center Civic / Professional Office

1. TCM1 & TCM2 - The two (2) Town Center Mixed Use districts encourages the development of mixed use districts consisting of commercial, office, residential and open space, with the TCM1 and TCM2 districts varying in the percentage of residential use permitted per square feet of commercial or office space proposed. A key element of the design of these districts is a Village Green. The TCM districts shall be planned to include all of the lots in each district. If an application is received for a portion of the area within the TCM district, the application shall make provisions to allow the continuation of the development into the adjacent lots.

The following block and lots are located in the TCM1 district:

Block 300, Lots 13 – 15, 17 – 25

Block 600, Lot 2.07

The following block and lots are located in the TCM2 district:

Block 600, Lots 5, 5.02, 6, 6.01

2. TCO - The Town Center Commercial / Office district encourages the development of primarily commercial mixed use neighborhood that compliments existing neighborhoods. If an application is received for a portion of the area within the TCO district, the application shall make provisions to allow the continuation of the development into the adjacent lots.

The following block and lots are located in the TCO district:

Block 503, All Lots

Block 600, Lots 1, 2.01, 2.05, 7, 7.01, 7.02, 8

Block 900.01, Lots 12.01, 12.02, 12.03, 12.04, 12.05, 12.06, 13, 14, 14.01

3. TCR - The Town Center Single Family Residential district encourages the development of a residential community to utilize the commercial uses in the area utilizing non-motorized methods of transportation.

The following block and lots are located in the TCR district:

Block 200, Lots 7 – 10

Block 300, Lots 2.01, 27 – 31, 30.01, 34 – 37

Block 400, Lots 22, 23

Block 500, Lots 1 – 7, 7.01, 7.02, 10 – 12

Block 501, All Lots

Block 502, All Lots

Block 900, All Lots
Block 900.01, Lots 4.03, 7 – 11
Block 1000, Lots 1 – 5
Block 1002, All Lots

4. TCC - The Town Center Civic district consists of the 163 +/- acres owned by the Township to be used for open space and recreation uses.

The following block and lot is located in the TCC district:

Block 600, Lot 4.02

5. TCVO - The Town Center Civic / Professional Office district designates areas that can be utilized for community functions such as House of Worship, municipal and governmental uses and office uses.

The following block and lots are located in the TCVO district:

Block 600, Lots 2.06, 2.08

Block 1100.14, Lot 16

Block 1100.15, Lot 18

AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP
CODE AT SECTION 103 --"ZONING" IN PARTICULAR, THE PROVISIONS OF SECTION
103-90 ADDRESSING THE TOWN CENTER DISTRICT

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance
of the recommendations made within the Re-Examination Report of November 2006, adopted as
revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to
amend the Zoning Ordinance to make certain revisions to their zoning requirements for the Town
Center District.

SECTION II

The Township Council hereby amends the Ordinance as follows:

The following new section shall be added:

§ 103-90.7 TCR Town Center Single Family Residential District

- (1) Permitted uses:
 - (a) Single family residential dwellings.
 - (b) Single family village homes.
 - (c) Single family narrow lot cottages.
 - (d) Attached townhome units.
- (2) Permitted accessory uses:
 - (a) Residential detached garages which shall not be subject to conversion to any other use except as may be specifically permitted in this chapter.
 - (b) Sheds shall be permitted in rear and side yards only and shall be limited to 100 square feet and be set back a minimum of three feet from any property line and shall be permitted in the rear yard only.
 - (c) All other accessory uses, buildings or structures shall be set back a minimum of three feet from any property line and shall be permitted in the rear yard only.
 - (d) All accessory uses shall be architecturally compatible with the principal structure.
 - (e) Home office occupations.
 - (f) Homecrafts, subject to the provisions of § 103-56.
- (3) Conditional uses. The following conditional uses are permitted in the R-L District:
 - (a) Home professional occupations, subject to the provisions of § 103-57.
 - (b) Live/work flex units, subject to the provisions of 103-90.5 A (9) (c).

- (4) Area and bulk requirements:
 - (a) Area and bulk requirements in accordance with the following:
 - [1] Single family village homes shall be in accordance with the area and bulk requirements contained in Section 103-90.5 B (2),
 - [2] Single family narrow lot cottages shall be in accordance with the area and bulk requirements contained in Section 103-90.5 B (3),
 - [3] Attached townhome units shall be in accordance with the area and bulk requirements contained in Section 103-90.5 B (4).
 - (b) Area and bulk requirements for the single family residential dwellings shall be in accordance with the area and bulk requirements of the R-M zoning district as section 103-14D.

AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP
CODE AT SECTION 103 –“ZONING” IN PARTICULAR, THE PROVISIONS OF SECTION
103-12 ADDRESSING THE TOWN CENTER DISTRICT

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance
of the recommendations made within the Re-Examination Report of November 2006, adopted as
revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to
amend the Zoning Ordinance to make certain revisions to their zoning requirements for the Town
Center District.

SECTION II.

The Township Council hereby amends Chapter 103 as follows:

Add the following as new section 103-90.6:

§ 103-90.6 TCVO Town Center Civic / Professional Office District

- A. Permitted principal uses. The following principal uses are permitted in TCVO Districts:
- (1) Municipal buildings and other governmental and/or public uses.
 - (2) Churches, Temples and other Houses of Worship.
 - (3) Post Office.
 - (4) Library.
 - (5) Cultural facilities such as museums, auditoriums and conservatories.
 - (6) Professional Office.
- B. Accessory uses. The following accessory uses are permitted in the TCVO Districts:
- (1) Signs, subject to the provisions of Article XIV.
 - (2) Fences and landscaping, subject to the provisions of §§ 103-47 and 103-48.
 - (3) Off-street parking facilities, subject to the provisions of §§ 103-49 and 103-50.
 - (4) Loading and unloading ramps and structures, subject to the provisions of § 103-51.
- C. Area and yard requirements.
- (1) Minimum lot area: 4 acre.
 - (2) Minimum lot frontage: 400 feet.
 - (3) Minimum lot width: 400 feet.
 - (4) Minimum lot depth: 200 feet.
 - (5) Minimum setbacks:
 - (a) Principal building:

[1] Front yard: 50 feet.

[2] Rear yard: 40 feet.

[3] Side yard: 25 feet.

(b) Accessory Building:

[1] Distance to side line 20 feet

[2] Distance to rear line 20 feet

[3] Distance to other building 20 feet

(6) Maximum building coverage. 20%

(7) Maximum site coverage 65%

(8) Building coverage of accessory building(s) 2%

D. Miscellaneous. Signs, landscaping, parking, lighting and other criteria shall be as set forth in §§ 103-19.1.

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AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP CODE AT SECTION 103 –“ZONING” IN PARTICULAR, THE PROVISIONS OF SECTION 103-90 ADDRESSING THE TOWN CENTER DISTRICT

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to amend the Zoning Ordinance to make certain revisions to their zoning requirements for the Town Center District.

SECTION II.

The Township Council hereby amends Chapter 103 as follows:

Delete current section 103-90.2, 90.3 and 90.4 in their entirety and replace with the following:

§ 103-90.2. Transect (T3): General Village.

- A. Description and plan. The areas along Woodlane Road, approaching from the east, at the intersection of Smithville Road marks the gateway into the developed core of the Township. Redevelopment of this area provides an opportunity to establish a foundation for a transect pattern of development.
- B. Tax Map identification:
 - (1) Block 600 Lot 5, 5.02, 5.03, 6, 6.01.
 - (2) Block 1100.14 Lot 16.
 - (3) Block 1100.15 Lot 18.
- C. Permitted principal uses in the TCM2 district for Block 600 Lot 5, 5.02, 5.03, 6, 6.01:
 - (1) Permitted commercial uses.
 - (a) Commercial buildings for multiple occupants ranging from 7,000 to 40,000 square feet of leasable space. Retail uses shall be restricted to the ground floor. Buildings requirements are same as those provided under § 103-90.5.
 - (b) See other permitted uses as stated in Ordinance section 103-90.5A
- D. Permitted conditional uses in the TCM2 district for Block 600 Lot 5, 5.02, 5.03, 6, 6.01:

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- (1) Traditional neighborhood development on a minimum tract of 10 acres provided that there be no more than one dwelling unit per 115 square feet of commercial space, in accordance with the following percentages of total units:

Single-family village homes:	5% to 15%
Narrow lot cottages:	25% to 35%
Attached townhomes:	15% to 25%
Multifamily condominiums:	25% to 35%
Age-restricted (55 and over)	
Apartments above commercial:	15% to 20%
Live/work flex units per Subsection C(9)(d)	0% to 5%
- (2) The permitted number of housing units shall be calculated based on a density of 3.9 units per gross acre of the tract to be developed.

- E. Area and yard requirements in the TCM2 district: As set forth in § 103-90.5.
- F. Refer to Ordinance section 103-90.6 for the regulations governing the TCVO district, T-3, Block 1100.14 Lot 16 and Block 1100.15 Lot 18.

§ 103-90.3. Transect (T2): Village Center.

- A. Description and plan. This plan is intended to direct the development of a thirty six (36) acre parcel of Township owned land located in the heart of the Redevelopment Area and the Town Center District. In accordance with the Traditional Neighborhood Development principles used in the 2004 Town Center Design Plan (TCDP), this area will be developed with a mix of commercial, civic and residential uses. The centerpiece of this plan and a key element of the vision for the future of Eastampton Township's central area will be a "Township Green" surrounded by pedestrian scale structures. It is a critical element of creating a 'sense of place' and fostering the community's 'smart growth goals'. The Township Council, based on a recommendation of the Land Use Planning Board, will determine if a proposal meets the following directives for this parcel in advance of any authorization to transfer ownership. The appropriate Redevelopment Agreement documents will be prepared to guarantee implementation according to the plan.
- B. Tax Map Identification: Block 600 Lot 2.07 (formerly Lot 2.02 and portions of Lot 2).
- C. Permitted Principal Uses. The selection and number of uses shall replicate, to the extent possible, the list of uses entitled Town Center Program, in the TCDP:
 - (1) Community/Township Green. All proposals for the development of this area must include a community or Township green meeting the following guidelines/standards:
 - (a) The green will have an area of approximately 1 ½ to 2 acres and all portions of this open space must be interconnected by pedestrian and/or bicycle paths.

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- (b) At least two (2) accent features, e.g. clock tower, pavilion, etc. must be provided with at least one of these features located along Woodlane Road.
 - (c) It must have continuous frontage on Woodlane Road for a distance of at least two hundred feet (200').
- (2) Permitted/Required commercial uses. Overview Plan. Any proposed plan must include 40,000 to 65,000 square feet of first floor commercial uses primarily oriented to retail/services uses which depend on walk-in pedestrian activity. No more than ten per cent (10%) of first floor space may be used for office use. Thirty thousand (30,000) square feet to 50,000 square feet of second floor commercial space, primarily office shall be provided. Commercial uses shall be the predominant uses for first floor space in buildings facing upon the green.
- (3) Conditional Uses.
- (a) Residential Uses: The site and building design for all residential uses will be in accordance with traditional neighborhood development principles as included in the TCDP and as utilized in the approved plans for Transect 2. Residential units may not be located on the first floor of any commercially used building. The mix of unit types shall be in accordance with the following percentages of total units:

Single-family village homes:	5% to 15%
Narrow lot cottages:	10% to 20%
Attached townhomes:	15% to 25%
Age-restricted (55 and over)	15% to 20%
Residential units above commercial:	15% to 20%
Live/work flex units	0% to 5%

- [1] The permitted number of housing units shall be calculated based on a maximum density of 4.0 units per gross acre of the tract. The maximum number of units permitted is 145. The actual number of units shall be equal to one dwelling unit per 800 square feet of commercial space.

D. Area and yard requirements: As set forth in § 103-90.5.

E. Conditions: As set forth in § 103-90.5.

§ 103-90.4. Transect (T1): Village Core.

- A. Description and plan. This area contains most of the Township's most significant commercial properties. This plan is intended to direct the development of parcels known as "Gregory's" and "Clarks" and the adjacent properties. In accordance with the

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Traditional Neighborhood Development principles, this area will be developed with a mix of commercial, civic and residential uses. The appropriate Redevelopment Agreement documents will be prepared to guarantee implementation according to the plan.

- (1) Between the Town Center Apartment and the Gregory's Center/Ashley's Furniture store there are approximately seven to 10 acres of vacant developable land.
- (2) The Gregory's Center/Ashley's Furniture store is a single-story 70,000 square foot building that served the greater Mount Holly area as a department store through most of the 1960's, 70's, and 80's before it started to decline in the 1990's and is now in need of rehabilitation.
- (3) Directly across Woodlane Road from Gregory's are approximately 25 single-story private residences. These residents lack proper sidewalks and buffering from loud traffic along Woodlane Road.
- (4) The intersection of Woodlane Road and Monmouth Road contains a new gas station at the northeastern corner, a new CVS pharmacy on the southeastern corner, which is adjacent to nine to 12 acres of vacant and largely developable land.
- (5) The buildings in 503 block contain marginal office and residential uses are in various stages of physical decline and suffer from faulty site organization. The point of the 503 block at the Woodlane and Monmouth Road intersection is an important focal point in the core transect and has been identified as an appropriate location for a significant architectural element such a clock tower and or fountain.
- (6) Continuing easterly along Woodlane in the 600 block, there are a collection of buildings and uses that suffer faulty site design and incompatible uses. There are two strip malls and a liquor store that share a common parking facility which is poorly defined and lacks a unifying landscaping, lighting and sign plan. Adjacent to these parcels is a storage and moving company with many acres of land that are underutilized or used for parking of tractor trailers, which is incompatible and conflicts with an adjacent apartment complex. The apartment complex is in need of significant upgrades.

B. Tax Map Identification:

- (1) The following block and lots are located in the TCM1 district of Transect 1:
 - (a) Block 300, Lots 13 – 15, 17 – 25
- (2) The following block and lots are located in the TCO district of Transect 1:
 - (a) Block 503, All Lots
 - (b) Block 600, Lots 1, 2.01, 2.05, 7, 7.01, 7.02, 8
 - (c) Block 900.01, Lots 12.01, 12.02, 12.03, 12.04, 12.05, 12.06, 13, 14, 14.01

C. Permitted Principal Uses in the TCM1 Zone of the T-1 Transect District:

- (4) Community Green. All proposals for the development of this area must include open space/green areas as a focal point of the development.
- (5) Permitted/Required commercial uses. Overview Plan. Any proposed plan must include 50,000 to 75,000 square feet of first floor commercial and office uses.

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Thirty thousand (30,000) square feet to 60,000 square feet of second floor commercial space, primarily office shall be provided.

- (6) Other uses as set forth in § 103-90.5.A. are permitted.

D. Conditional Uses in the TCM1 Zone of the T-1 Transect District:

- (1) Residential Uses: The site and building design for all residential uses will be in accordance with traditional neighborhood development principles. Residential units may not be located on the first floor of any commercially used building. The mix of unit types shall be in accordance with the following percentages of total units:

Single-family village homes:	5% to 15%
Narrow lot cottages:	10% to 20%
Attached townhomes:	15% to 25%
Age-restricted (55 and over):	15% to 20%
Residential units above commercial:	15% to 20%
Live/work flex units:	0% to 5%

- (a) The permitted number of housing units shall be calculated based on a maximum density of 6.0 units per gross acre of the tract. The maximum number of units permitted is 100. The actual number of units shall be equal to one dwelling unit per 1250square feet of commercial space.

E. Permitted Principal Uses in the TCO Zone of the T-1 Transect District:

- (1) Reserved
(2) Reserved

F. Conditional Uses in the TCO Zone of the T-1 Transect District:

- (1) Reserved
(2) Reserved

G. Area and bulk requirements: as set forth in Chapter 103, Section 90.5.

H. General design standards. As set forth in:

- (1) § 88-54, Town Center Design Standards.
(2) § 88-55, Architectural Design Standards.
(3) § 88-51, Design Standards.

The following section shall be added as new section 103-90.5

§ 103-90.5. Town Center Districts Standards

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- A. Uses. The following uses are permitted in the TCM1, TCM2 and TCO overlay districts located in the T-1, T-2 and T-3 Village Transect District, as well as the TCR, TCVO and TCC overlay districts, subject to applicable standards set forth as follows:
- (1) Permitted commercial uses.
 - (a) Commercial buildings for multiple occupants with various areas of leasable space. Retail uses shall be restricted to the ground floor. Buildings requirements are same as those provided under § 103-90.2B.
 - (b) Restaurants, cafes, coffeehouses and eateries except as specifically prohibited in Subsection C(8).
 - (c) Personal service establishments, having their primary function the rendering of a service to a client within a building. Such services may include, but are not limited to, barber and beauty shops, dry-cleaning establishments, self-service laundromats, tailor shops, weight-loss centers, portrait studios, interior decorating services, video rental, and mail centers.
 - (d) Business service establishments, having as their primary function the rendering of service to a business client. Such services may include, but are not limited to, document reproduction, duplication, and administrative services.
 - (e) Product service establishments, having as their primary function the servicing or repair of a product, including, but not limited to, the repair and servicing of shoes, audio and visual equipment, appliances, jewelry and watches. Such service establishments shall not include motor vehicle maintenance and/or body shops.
 - (f) Business offices including, but not limited to, insurance agents, travel agents, realtors, finance and investment companies, and tax preparation services.
 - (g) Instructional studios, fitness centers, and billiard parlors.
 - (h) Banks and other financial institutions, excluding check-cashing businesses but including automated teller machines (ATM).
 - (i) Professional offices including, but not limited to, offices for architects, artists, authors, dentists, doctors, lawyers, ministers, musicians, engineers, optometrists, opticians, and such other similar professions.
 - (j) Public and semipublic uses including parks and playgrounds, conservation areas, and structures and facilities constructed as part of this principal use.
 - (2) Public, private and parochial schools for academic instruction.
 - (3) Mixed-use buildings that may include residential apartments or flats above commercial or office uses. Residential apartments and offices may be permitted on the second story, with the exception that these two uses are not permitted on the same floor.
 - (4) Day-care centers (elderly and child).
 - (5) Churches, temples and other places of worship.
 - (6) Post office and library facilities.
 - (7) Cultural facilities such as museums, auditoriums and conservatories.
 - (8) Prohibited uses:

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- (a) Uses requiring storage or display of goods outside a fully enclosed building.
 - (b) Lumber yards.
 - (c) Any freestanding, single-occupant and single-use building in excess of 7,000 square feet of gross floor area.
 - (d) Sexually oriented businesses, including establishments that are commonly marketed as adult (male or female) entertainment clubs featuring exotic dancing, and adult book, video and or gift stores, and massage parlors.
 - (e) Tattoo, body-piercing or branding establishments.
 - (f) Manufacturing and other commercial uses deemed to be hazardous in the building code. Editor's Note: See Ch. 40, Uniform Construction Codes.
 - (g) Automobile sales, services, pumping stations, parts sales, car washes, and detailing shops.
 - (h) Restaurants with exterior drive-up window service.
 - (i) Kennels, veterinary hospitals and facilities for the boarding and grooming of animals.
- (9) Conditional uses:
- (a) Traditional neighborhood development as specified in §§ 103-90.2, 103-90.3.C(3) and 103-90.4.D(1).
 - (b) Life cycle housing. A minimum of 25% of the combined total of single-family village homes, narrow lot cottages and attached townhomes shall provide a ground floor master bedroom.
 - (c) Live-work units, provided the following conditions apply:
 - [1] Any business operated from a live-work unit must be a principal permitted or conditional use.
 - [2] The parking and loading requirements for the proposed business use shall be consistent with the parking and loading requirements of this chapter. On-street parking may be considered in the provision of an appropriate number of parking spaces, depending on the expected parking demand and frequency of customer visits. In any case, there shall be at least one parking space per live-work unit dedicated solely to the commercial use.
 - [3] Business operations involving client visits shall be limited to the hours between 8:00 a.m. and 9:00 p.m.
 - [4] There shall be an interior connection between the live and work portions of the unit.
 - [5] All signage shall comply with applicable standards contained in the Land Use Ordinance.
 - (d) Home-based professional offices, provided the following conditions apply:
 - [1] The home-based office is located in a single-family or attached town house dwelling unit for professional home office use such as lawyers, engineers, architects, artists, writers, mental health professional and other similar professions.

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- [2] Real estate offices, medical, dental, and other personal services such as hair, nail, tattooing, piercing and physical fitness services shall not be permitted as home offices uses.
 - (e) Nothing in this section shall be interpreted as allowing for the outdoor storage of business-related equipment, the cleaning and maintenance of equipment or transfer of equipment and freight that may or may not be related to a home office uses. For example, on-site storage of landscape equipment, construction trailers, and dump trucks or any other equipment related to a building trade is prohibited.
 - (f) In addition to the family members occupying the dwelling containing the home office, there shall not be more than one outside employee in the home office.
 - (g) The employee and clients shall use on-street curbside parking spaces.
 - (h) Client visits to home-based offices shall be scheduled so as to not overlap, and there shall be no more than two business-related guests or clients at the home-based office at any one time.
 - (i) Permitted signage area is limited to one wall-mounted non-flashing nameplate sign situated within the property lines and limited to one square foot in area.
 - (j) The home office shall not exceed 1,000 square feet, or 25% of the total habitable square footage of the dwelling exclusive of any basement, or can be located in an accessory building not to exceed 500 square feet.
 - (k) All exterior aspects of the home office operation shall not disrupt the residential integrity of the dwelling unit.
 - (l) Studio or guest rooms above a garage, provided the following conditions apply:
 - [1] The studio room or guest room shall be on the second floor of a detached garage.
 - [2] The studio room or guest room shall not have separate kitchen facilities.
 - [3] Any professional or home-based office must meet the conditional use standards for home-based offices contained in § 103-57.
- (10) Permitted accessory uses:
- (a) Residential detached garages which shall not be subject to conversion to any other use except as may be specifically permitted in this chapter.
 - (b) Sheds shall be permitted in rear and side yards only and shall be limited to 100 square feet and be set back a minimum of three feet from any property line and shall be permitted in the rear yard only.
 - (c) All other accessory uses, buildings or structures shall be set back a minimum of three feet from any property line and shall be permitted in the rear yard only.
 - (d) All accessory uses shall be architecturally compatible with the principal structure.

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B. Area and yard requirements:

- (1) Commercial and mixed-use buildings:
 - (a) Lot area: minimum of 30,000 square feet and maximum of 90,000 square feet.
 - (b) Lot width (at front yard setback line): minimum of 150 feet.
 - (c) Minimum lot depth: 150 feet.
 - (d) Front yard setback: zero feet minimum and 20 feet maximum from property line. When property fronts onto county highways, the front yard shall be measured from the edge of the right-of-way. Sidewalks and planting strips along county highways shall be outside the right-of-way if necessary to accommodate sidewalk design standards. Zero setback is permitted only where the county will allow construction of sidewalks and other streetscape improvements within county right-of-way.
 - (e) Side yard: zero feet when attached and 20 feet when detached from property line. When the property side yard fronts on a county highway, the side yard shall be measured from the edge of the right-of-way. Sidewalks and planting strips along county highways shall be outside the right-of-way if necessary to accommodate sidewalk design standards. Zero setback is permitted only where the county will allow construction of sidewalks and other streetscape improvements within the county right-of-way.
 - (f) Height: two stories or 20 feet minimum and three stories or 35 feet maximum from sidewalk level. Finished first floor should be as close to level with the sidewalk as practicable.
 - (g) Maximum impervious coverage: 70%.
 - (h) Maximum building length: 250 feet.
 - (i) Parking:
 - [1] As provided in § 103-90.5.C.(13)(a).
 - [2] On-street parking can be used to meet the total parking requirement counting only those spaces directly in the front or side of the mixed-use building(s).
 - [3] Parking lots shall be placed in the rear of the building(s). Rear parking lots must be screened with a fence or vegetative hedge (minimum of 3 1/2 feet high) which is at least 75% visually impervious at the time of planting. The internal surface of the parking lot must have one tree for every 10 parking spaces.
 - (j) Street trees shall be planted at thirty-foot intervals in a grass planting strip that is a minimum of five feet wide between the edge of the road and sidewalk. In retail areas where a planting strip may not be suitable, trees shall be planted in rates, pavement openings or planter structures of sufficient size to accommodate the species utilized.
 - (k) Streetlighting. Lighting shall be uniform throughout the community, pedestrian scaled and located in the planting strip or near the edge of the road. The fixtures shall not exceed 12 feet in height and shall be provided on both

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sides of the street intersections. The minimum spacing shall be 80 feet on center.

- (l) Sidewalks fronting commercial property shall be a minimum of 10 feet and a maximum of 16 feet in width.
 - (m) Garage: If provided, subject to the requirements of § 103-90.5.C.(13)(a).
- (2) Single-family village homes:
- (a) Lot area: minimum of 6,000 square feet and maximum of 15,000 square feet.
 - (b) Lot width: 60 feet minimum.
 - (c) Lot depth: 100 feet minimum.
 - (d) Front yard setback: 15 feet minimum and 25 feet maximum from property line. When property fronts on county highways where future road widening may be required, the front yard shall be measured from the edge of the future right-of-way. Sidewalks and planting strips along county highways shall be outside the right-of-way if necessary to accommodate sidewalk design standards.
 - (e) Side yard: five feet minimum, 12 feet combined. A minimum of 12 feet shall be provided between dwellings.
 - (f) Rear yard: 35 feet minimum.
 - (g) Height: 2 1/2 stories or 35 feet.
 - (h) Maximum building coverage: 45%.
 - (i) Minimum non impervious area: 30%.
- (3) Narrow lot cottages:
- (a) Lot area: minimum of 4,500 square feet.
 - (b) Lot width: 45 feet minimum.
 - (c) Lot depth: 100 feet minimum.
 - (d) Front yard setback: 15 feet minimum and 25 feet maximum from property line. When property fronts on county highways where future road widening may be required, the front yard shall be measured from the edge of the future right-of-way. Sidewalks and planting strips along county highways shall be outside the right-of-way if necessary to accommodate sidewalk design standards.
 - (e) Side yard setback: five feet minimum, 12 feet combined. A minimum of 12 feet shall be provided between dwellings.
 - (f) Rear yard: 35 feet minimum.
 - (g) Height: 2 1/2 stories or 35 feet.
 - (h) Maximum building coverage: 45%.
 - (i) Minimum non impervious area: 30%.
 - (j) Garage: If provided, subject to the requirements of § 103-90.5.C.(13)(i).
- (4) Attached townhome units:
- (a) Lot area: minimum of 2,000 square feet per dwelling unit.
 - (b) Lot width: at front yard setback, a minimum of 20 feet per dwelling unit.

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- (c) Lot depth: 100 feet minimum.
 - (d) Front yard: five feet minimum and 15 feet maximum from property line.
When property fronts on county highways where future road widening may be required, the front yard shall be measured from the edge of the future right-of-way. Sidewalks and planting strips along county highways shall be outside the right-of-way if necessary to accommodate sidewalk design standards.
 - (e) Side yard: at end of each row a minimum of five feet and maximum of 12 feet.
 - (f) Rear yard: 35 feet minimum.
 - (g) Height: 2 1/2 stories or 35 feet.
 - (h) Maximum building size: four dwelling units in a row and 150 feet in length.
 - (i) Maximum impervious coverage: 70%.
 - (j) Garage. If provided, to be in rear yard and accessed through an alley; subject to the requirements of § 103-90.5.C(13)(i).
- (5) Multifamily dwelling units:
- (a) Minimum lot area: 30,000 square feet.
 - (b) Lot width: minimum of 100 feet.
 - (c) Lot depth: minimum of 150 feet.
 - (d) Front yard: minimum of 10 feet.
 - (e) Side yard: minimum of 10 feet; 20 feet between buildings.
 - (f) Rear yard: minimum of 50 feet.
 - (g) Building height: three stories, not to exceed 45 feet. First finished floor must be a minimum of two feet above sidewalk grade.
 - (h) Maximum impervious coverage: 60%.
 - (i) Rear yard parking and alley access are required.
- (6) Live work/flex units:
- (a) Lot area: minimum of 3,500 square feet and a maximum of 7,500 square feet.
 - (b) Lot width: minimum of 35 feet.
 - (c) Lot depth: minimum of 100 feet.
 - (d) Front yard: minimum of 15 feet and a maximum of 25 feet.
 - (e) Side yard: five feet minimum, 12 feet combined. A minimum of 12 feet shall be provided between dwellings.
 - (f) Rear yard: minimum of 35 feet.
 - (g) Height: 2 1/2 stories or 35 feet.
 - (h) Maximum impervious coverage: 60%.
- (7) Permitted encroachments:
- (a) Architectural features such as porches, platforms, steps or landing places which do not extend above the first floor level and which have no wall more than 30 inches in height may project into a required front or rear yard setback a distance of no more than four feet.

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- (b) Architectural features such as chimneys, bay windows, cornices and eaves may project no more than three feet into a required front, side or rear yard setback.

C. Design standards for all Zones in the Town Center District:

- (1) A mix of dwelling unit types shall be distributed throughout the Town Center Districts.
- (2) The developer shall provide a building option for a senior cottage, defined as a dwelling unit with a master bedroom on the ground floor and other amenities and efficiencies designed to appeal to people in the 55 and older age bracket.
- (3) Building variation. Building designs shall vary in terms of footprint, architectural elevations, window placement, type of roof, height, front entrance, and porch locations. Colors, materials, and architectural details should establish a harmonious and unified theme.
- (4) The street pattern shall be generally consistent with the Eastampton Township Town Center Design Plan, prepared by A. Nelessen Associates, 2004, as it relates to the location of residential lanes and alleys and the interconnections between adjacent parcels in the Village Center as shown on Schedule C (Editor's Note: Schedule C is on file in the Township offices.) of this chapter.
- (5) Buildings and front facades shall be oriented to the street.
- (6) Fences, decorative walls and hedges:
 - (a) Walls and fences shall be architecturally compatible with the style, materials and colors of the principle building on the same lot. Front yards may have the following treatments: brick walls with a stone or cast stone cap, or synthetic picket fences, and decorative metal or cast iron fences.
 - (b) Front yard fences shall be set back a minimum of three feet from the paved sidewalk and shall be located on private property.
 - (c) Front yard fences, hedges and walls shall be limited to a maximum of 3 1/2 feet in height above ground level and be a minimum of 60% solid.
 - (d) Fences shall not conflict with the site distance requirements. Where driveways and private parking is off of an arterial or collector street, as defined in § 88-4 of the Eastampton Municipal Code, a zoning permit for a fence shall be reviewed by the Township Engineer to certify compliance with all site distance requirements.
 - (e) Side and rear yard fences shall not exceed six feet above ground level.
 - (f) Hedges may be used instead of fences.
 - (g) Highway-style guardrail, stockade or contemporary security fencing such as chain link, barbed or razor wire are prohibited.
 - (h) Side and rear yards may be defined by a masonry wall, wooden or synthetic fence, trellis or lattice, vegetative hedge, garage and/or out building walls, or some combination thereof. The height of such yard or patio enclosure shall not exceed six feet above ground level and shall be suitable to provide privacy and screen views of neighboring uses, trash receptacles/containers or recycling bins.

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- (i) On corner lots, such fences shall not be closer to the street side property line than the building setback line.
 - (j) Gates in fences shall be built of the fence material.
 - (k) Walls shall be built of brick to match the principal building.
 - (l) Gates in walls may be of steel or wrought iron.
- (7) Decks, patios and terraces:
 - (a) Decks, patios and terraces shall complement the architectural style and design of the dwelling units and the overall project design.
 - (b) Decks shall be constructed no higher than 36 inches from the rear yard grade immediately adjacent to the side and rear wall of the home.
 - (c) Decks shall not be constructed closer than 10 feet to the side and rear property lines for single family and three feet for townhomes.
 - (d) Patios constructed at grade shall not be constructed closer than five feet from the side or rear property line.
- (8) Pools and spas:
 - (a) All swimming pools shall be in-ground type, with a maximum of 21 inches above adjacent grade.
 - (b) Pools or spas shall not be constructed closer than 10 feet from the side and rear property lines for single-family homes and five feet for townhomes.
 - (c) All swimming pools shall be fenced in accordance with applicable Township zoning regulations.
- (9) Gazebo, arbor, trellis or pergolas:
 - (a) Gazebos or other similar freestanding accessory structures are permitted in the rear yard only. Maximum height shall not exceed 12 feet above adjacent grade, excluding rooftop ornaments; it shall be constructed of wood and shall have a maximum size of 150 square feet.
 - (b) Trellises, arbors and gate arbors are permitted in the side and rear yards.
 - (c) Trellises, arbors and gate arbors shall be proportionately sized for the overall area of the yard and shall not exceed eight feet in height, five feet in width and three feet in depth. They shall be constructed of wood and compliment the architectural style, type and design of the fence or dwelling.
- (10) Accessory porches:
 - (a) Any porch built by the property owner and not provided by the builder at the time of initial construction shall be considered an accessory porch.
 - (b) Accessory porches shall complement the architectural style and design of the dwelling units and the overall project design.
 - (c) Front accessory porches shall have a minimum depth of six feet and shall be subject to Township ordinance requirements.

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- (11) Residential interior lots. Adjacent residential lots may be divided by a six-foot high fence along side property lines. Portions of fencing above five feet in height must be made of a trellis or other semitransparent top piece.
- (12) Residential corner lot. Side streets should be treated the same as front streets. The front porch encroachment may wrap around the corner on a corner lot house. Subject to the specific architecture of the unit, rear yard fencing may extend along the side street and may be between five feet and six feet high only from the rear property line to a point that is either half of the depth of the unit or the location of the side entry provided it does not interfere with the sight triangle.
- (13) Off-street and on-street parking. The overall intent for the provision of parking in the Town Center Districts is to balance the use mix with available parking opportunities both on and off street.

- (a) Off-street parking shall be provided according to minimum requirements as specified below:

Use	Required Off-Street Parking
Village single family	See Residential Site Improvement Standards
Narrow single family	See Residential Site Improvement Standards
Townhouse	See Residential Site Improvement Standards
Apartment dwelling	See Residential Site Improvement Standards
Accessory dwellings	1 space per unit
Retail	Minimum 1 space per 300 square feet ¹
Office uses	Minimum 1 space per 300 square feet ¹
Institutional/churches	Minimum 1 space per 3 seats

¹ The minimum requirement of 1 space per 300 square feet is permitted if shared parking is proposed as specified in (g) below. If shared parking is not proposed, the parking shall be as required in Ordinance section 103-50.

- (b) Parking is prohibited within the front setback between the front of the building and the front property line.
 - (c) Parking lots and/or associated driveways may abut and overlap property lines that abut other nonresidential Town Center District uses, predicated upon establishing an appropriate access easement that clearly defines all associated maintenance responsibilities.
 - (d) Parking spaces and/or associated driveways shall be located a minimum of 10 feet from any side or rear property line which abuts a Town Center Residential Use.
 - (e) Off-street parking for commercial uses shall be sufficient to provide parking for the employees of all proposed uses as well as long-term customer parking. Spaces reserved for employees shall be designated as such by means of striping and signage. Off-street parking lots shall be prohibited in any front yard setback area, shall be located at the rear of buildings on the interior of lots whenever possible, and shall be accessed by means of common driveways. Cross-access easements for adjacent lots with interconnected

parking lots shall be required, in language acceptable to the Township Council and Planning Board Attorney.

- (f) In addition to the off-street parking requirements specified above, on-street parking shall be provided to serve customers of commercial uses. Where permitted, commercial on-street parking shall be provided as curbside, parallel, or angle parking located along both sides of the streets on all blocks upon which commercial uses front.
- (g) Shared parking shall be encouraged for all commercial parking lots and particularly for those serving mixed-use commercial and residential buildings. Where necessary, in parking lots which are serving mixed-use commercial and residential buildings, the Land Use Planning Board may, in its discretion, permit a limited amount of parking to be reserved either for residential or specified commercial uses only; or may restrict the hours that certain spaces are to be used for residential or commercial uses only. In exercising its discretion to allow any limitations to be placed on the use of any parking spaces, the Land Use Planning Board shall do so with the intent to limit such restrictive use in order to advance the objective of encouraging shared parking.
- (h) Parking lot landscaping, buffering and screening:
 - [1] Lots for apartment and nonresidential uses shall balance the functional requirements of parking with the provision of pedestrian amenities. Transition areas between parking and civic, commercial, or residential uses shall be designed with textured paving, landscaping, and street furniture approved by the Land Use Planning Board.
 - [2] Parking lot layout, landscaping, buffering, and screening shall be provided to minimize direct views of parked vehicles from streets and sidewalks, avoid spill-over light, glare, noise, or exhaust fumes onto adjacent properties, in particular residential properties, and provide the parking area with a reasonable measure of shade, when trees reach maturity. In order to achieve these objectives, parking lots exposed to the public view shall be surrounded by a minimum of a three-foot high, year-round visually impervious screen, hedge, or wall. However, where these buffers are used to screen driveways or approach sidewalks or walkways, the walls will be located in a manner to provide adequate visibility of pedestrians from motor vehicles, and shall not interfere with clear sight triangle requirements.
 - [3] The interior of all parking lots shall be landscaped to provide shade and visual relief. This is best achieved by protected planting islands or peninsulas within the perimeter of the parking lot. Refer to Ordinance Section 103-46 for additional landscaping requirements.
 - [4] Parking lot layout shall take into consideration pedestrian circulation. Pedestrian crosswalks shall be provided, where necessary and appropriate, shall be distinguished by textured paving, and shall be integrated into the wider network of pedestrian walkways. Pavement

textures shall be required on pedestrian accessways, and strongly encouraged elsewhere in the parking lot, as surfacing materials, or when used as accents and as approved by the Land Use Planning Board.

- (i) Residential garage and parking design standards:
 - [1] With the exception of lots that do not back up to alleys or lanes, driveways and driveway access shall be prohibited in any front yard area.
 - [2] Driveways that are accessed through the front yard area shall be no wider than 10 feet, and parking for all dwelling units shall be prohibited within the front yard setback.
 - [3] Parking for all dwelling units shall be prohibited in front yard setback areas with the exception of lots that do not back up to alleys or lanes. Driveways and driveway access shall be permitted in the front yard area, provided that the garage is recessed at least 10 feet from the main portion of the dwelling unit. Driveways shall be set back a minimum of three feet from the side of dwelling units. The location of a garage shall be set back a minimum of three feet from side and five feet from rear property line.
 - [4] Garages, driveways and parking areas shall have a minimum setback of three feet from any side property line.
 - [5] Driveways shall be set back a minimum of three feet from any side property line, unless such driveway is shared by dwellings on two adjacent lots, in which case the driveway may be located with the driveway center line on the common side lot line. Parking for townhouses shall be provided as driveways or garages with access from a rear lane.
 - [6] Garages shall only be located to the rear of the principal building, with the exception of where access to a rear alley is not provided.
 - [7] The garage setback from the right-of-way of the rear lane shall be governed by the following. No parking is permitted within the driveway accessing the garage, in which case the garage shall be set back no less than 10 feet, with a six-inch tolerance, from the right-of-way of the rear lane, or parking may occur within the driveway leading to the garage, in which case said garage shall be set back no less than 20 feet from the right-of-way of the rear lane. No vehicle parked in a driveway or parking area shall encroach into the public right-of-way.
 - [8] Two adjacent lots may share a driveway along their common property line subject to a cross-access easement.
 - [9] Residential lots may require on-site parking spaces adjacent to the garage in order to meet the minimum off-street parking requirements if sufficient spaces are not provided within the garage and the driveway to the garage.

- [10] The maximum width of a driveway throat shall not exceed 24 feet. There shall be no more than one driveway apron per lot.
- [11] Garages on single-family or duplex corner lots are permitted direct access to the side street, provided the entrance of said garage has a setback 10 feet further than the side wall of the dwelling unit.
- [12] Required residential off-street parking spaces shall abut the side of the on-site garage and have a depth between 25 and 26 feet from the alley right-of-way and a minimum designated parking width of eight feet contained on said lot. A clear width of 11 feet free of fence, shrub, etc., shall be provided for parking spaces to accommodate vehicle access. On lots that cannot accommodate the full eleven-foot designated parking area width, an access easement on the adjacent lot shall be required to accommodate door openings only. When necessary, due to abutting garages and/or minimal lot widths, driveways and parking areas may abut the adjacent lot's property line.
- [13] Driveways may be constructed of brick pavers, two-foot-wide concrete wheel tracks, or stone pavers.
- [14] All townhouse driveways and parking spaces shall only be accessed from the rear lane, with the exception of end unit townhomes.
- [15] Required parking for multifamily buildings may be located in common parking lots located on a lot other than that containing the apartment building entrances. Parking shall be located within 300 feet of the urban apartment building entrance in order to minimize parking off site.
- [16] For attached garages which are accessed from an alley, not from the front of the house, the minimum setback for the garage shall be three feet from the side yard and five feet from the rear yard.

C. Commercial Design Standards for all Zones in the Town Center District:

- (1) Pedestrian connections shall be provided to abutting open space areas and abutting Town Center commercial sites.
- (2) Restaurants and cafes shall be permitted to operate outdoor dining areas on sidewalks, including areas within the public right-of-way and in courtyards provided pedestrian circulation and access to store entrances shall not be impaired and the following standards and guidelines are met:
 - (a) To allow for pedestrian circulation, a minimum of five feet of sidewalk along the curb and to the entrance of the establishment shall be maintained free of tables and other encumbrances.
 - (b) Planters, posts with ropes, wrought iron railings, or other removable enclosures are encouraged and shall be used as a way of defining the area occupied by the cafe.
 - (c) Extended awnings, canopies, or large umbrellas shall be permitted and located to provide shade. Colors shall complement building colors.
 - (d) Outdoor cafes shall be required to provide additional outdoor trash receptacles.

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- (e) Tables, chairs, planters, trash receptacles, and other elements of street furniture shall be compatible with the architectural character of the building where the establishment is located.
 - (f) Operators or owners of establishments will be responsible for trash pick-up and maintain a litter-free and well-kept appearance within and immediately adjacent to the area of their activities.
- (3) Drive-through banking facilities shall be located and screened with planting and/or architectural walls to minimize their visibility, and may be located under upper story cantilevered floors. In all cases, drive-through facilities must be located in the rear of the building.
- (4) Required loading and service areas. When required, loading docks, solid waste facilities, recycling facilities, and other service areas shall be placed to the rear or side of buildings in visually unobtrusive locations. Screening and landscaping shall be provided to minimize direct views of the loading areas and their driveways from adjacent properties or from the public right-of-way. Screening and landscaping shall also be provided to minimize spill-over glare, noise, or exhaust fumes. Screening and buffering shall be achieved through walls, fences, and landscaping. Screening shall be a minimum of five feet tall, shall be visually impervious and keep receptacles completely out of view. Recesses in the building, or depressed access ramps, may be used.

**AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP
CODE AT SECTION 103 –“ZONING” IN PARTICULAR, THE TABLE OF CONTENTS**

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance
of the recommendations made within the Re-Examination Report of November 2006, adopted as
revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to
amend the Zoning Ordinance to make certain revisions to their zoning requirements.

SECTION II.

The Township Council amends the ordinance as follows:

Delete current section 103-88 A in its entirety and replace with the following:

- A. Boundaries. The boundaries of the redevelopment area are shown on the map attached to
the Preliminary Investigation, which is attached to this chapter as Schedule C, Editor's
Note: Schedule C is included at the end of this chapter. and is in need of redevelopment as defined
by in N.J.S.A. 40A:12A-5. The boundaries of the Transect Overlay Zones within the
redevelopment area are indicated on the map attached to this chapter as Schedule B.
Editor's Note: Schedule B is included at the end of this chapter.

SCHEDULES COVER DRAFT #1

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AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP CODE AT SECTION 103 –“ZONING” IN PARTICULAR, THE SCHEDULES OF ZONING DISTRICTS

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In response to the recent re-examination of the Township Master Plan and in furtherance of the recommendations made within the Re-Examination Report of November 2006, adopted as revised by the Land Use Planning Board on March 31, 2007, the Township Council now seeks to amend the Zoning Ordinance to make certain revisions to their zoning requirements. The Schedules for the Zoning Districts of the Zoning Ordinance shall be amended to include the revised information.

SECTION II.

The Township Council amends the ordinance as follows:

The existing zoning Schedule A Schedule of District Regulations titled 103 Attachment 1, 103 Attachment 2, 103 Attachment 3 and 103 Attachment 4 shall be deleted and replaced with the attached Zoning, 103 Attachment 1, Schedule A, Page 1 of 2, Schedule of District Regulations and Zoning, 103 Attachment 1, Schedule A, Page 2 of 2, Schedule of District Regulations

SECTION 103-14D

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AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON TO AMEND THE TOWNSHIP CODE AT SECTION 103 –“ZONING”

ORDINANCE NO. 2008 -

BE IT ORDAINED, by the Township Council of the Township of Eastampton, in the
County of Burlington and the State of New Jersey, as follows:

SECTION I. INTRODUCTION

In reviewing the Ordinances of the Township, it was determined that there were inconsistencies between the information contained in the text and in the schedules at the end of the Chapter 103. The proposed revisions correct the inconsistencies.

SECTION II.

The Township Council hereby amends Chapter 103 as follows:

Amend section 103-14.D. to eliminate the following text:

Maximum impervious coverage	
Total impervious coverage	35%
Maximum allowable for principal and accessory buildings (within total impervious coverage)	23%

And replace the above text with the following:

Maximum impervious coverage	
Total impervious coverage	35%
Principal Building (within total impervious coverage)	20%
Accessory Structure (within total impervious coverage)	3%

ZONING

103 Attachment 1

Schedule A, Page 1 of 2
Schedule of District Regulations
Township of Eastampton

Zone	Minimum Lot Area	Minimum Lot Dimensions			Minimum Setbacks						Distance from Accessory Structure to Other Building	Coverage		Density	Maximum Building Height (stories / feet)	Minimum Setback from Streams / Creeks
					Front (feet)		Side (feet)		Rear (feet)			Principal Building	Accessory Structure			
		Frontage (feet)	Width (feet)	Depth (feet)	Principal Building	Accessory Structure	Principal Building	Accessory Structure	Principal Building	Accessory Structure						
R-A and ACR ¹	15 acres	350	350	400	150	Not Permitted	100	100 ²	100	50	20	3%	1%	1 dwelling unit / 15 acres	2.5 / 35 ³	---
R-L and R-UL ⁴	5 acres	200	200	200	75	Not Permitted	50	10	40	40	5	10%	1%	1 dwelling unit / 5 acres	2.5 / 35 ⁵	100 year floodplain plus 50 feet
R-M and R-H (single-family)	10,000 square feet	85	85	85	35	Not Permitted	10	5	20	15	5	20%	3%	2 dwelling unit / 1 acre	2.5 / 35	---

Zone	Minimum Lot Area	Maximum Site Size	Maximum Density	Maximum Number of Dwelling Units per Structure			Maximum Building Length (feet)	Building Setbacks (feet)							Maximum Building Height (stories / feet)	Site Coverage	
				Apartments	Townhouse	Duplex		Perimeter Setback	Residential to Residential ⁶			Residential to Recreation or Accessory Structure	Building to Parking	Building to Interior Street Edge		Maximum Building Coverage	Maximum Impervious Coverage
									Window Wall to Window Wall	Window Wall to Other Wall	Other Wall to Other Wall						
R-11 (multi-family)	---	10 acres	6 dwelling units / acre	20	8	---	60 ⁷	50	75	60	50	50 ⁸	25 to edge of building	25	2.5 / 35	35%	65%
R-1B (multi-family)	5 acres	---	6 dwelling units / acre	20	8	2	60 ⁷	50	---	---	---	40 ⁸	20 to edge of building	20	2.5 / 35	35%	65%

Zone	Minimum Lot Area (square feet)	Maximum Lot Area (square feet)	Lot Width (feet)	Lot Depth (feet)	Building Setbacks (feet)				Maximum Building Height (stories / feet)
					Minimum Front Setback	Maximum Front Setback	Side Yard	Rear Yard	
R-1B (single-family)	6,000	15,000	60	100	15	25	5 / 12 ⁹	35	2.5 / 35
R-1B (townhouses)	2,000	---	20	100	5	15	5 / 12 ¹⁰	35	2.5 / 35

NOTES:

¹Use, area, bulk, and other regulations in the R-A district apply to the ACR district except that the Historic Regulations of § 103-40.2, et al., also apply in the ACR district.

²Accessory buildings for agricultural uses may be as close as 50 feet to a side property line, provided the structure is not used to house livestock.

³Except that churches, schools and barns should not exceed 50 feet.

⁴Use, area, bulk, and other regulations in the R-L district apply to the R-UL district except that the Historic Regulations of § 103-40.2, et al., also apply in the R-UL district.

⁵Except that churches, schools and barns should not exceed 35 feet.

⁶With deciduous and evergreen landscaping interspersed between all residential units.

⁷Unless an angle turn or a four-foot setback is provided within each 60 feet of length.

⁸Residential to swimming pool area, if any, shall be a setback at least 150 feet and set apart with appropriate buffers to mitigate noise.

⁹minimum / combined

¹⁰End of row minimum / combined

ZONING

103 Attachment 1

Schedule A, Page 2 of 2
Schedule of District Regulations
Township of Eastampton

Zone	Minimum Lot Area	Minimum Lot Dimensions			Minimum Setbacks						Distance from Accessory Structure to Other Building	Coverage		Density	Maximum Building Height (stories / feet)	Minimum Setback from Streams / Creeks
					Front (feet)		Side (feet)		Rear (feet)			Principal Building	Accessory Structure(s)			
		Frontage (feet)	Width (feet)	Depth (feet)	Principal Building	Accessory Structure	Principal Building	Accessory Structure	Principal Building	Accessory Structure						
CNS	15 acres	350	350	400	150	Not Permitted	100	100	100	50	20	3%	1%	1 dwelling unit / 15 acres	2.5 / 35	---
CLR	15 acres	350	350	400	150	Not Permitted	100	100	100	50	20	3%	1%	1 dwelling unit / 15 acres	2.5 / 35	100 year floodplain plus 50 feet

Zone	Minimum Lot Area	Minimum Lot Dimensions			Building Setbacks (feet)						Coverage			Minimum / Maximum Gross Floor Area (square feet)		Maximum Building Height
					Principal Building			Accessory Building						Individual Uses, Each Principal Building	Shopping Centers, Total of One or More Principal Buildings	
		Frontage (feet)	Width (feet)	Depth (feet)	Front Yard	Rear Yard	Side Yard	Distance to side line	Distance to rear line	Distance to other building	Maximum Building	Site	Building coverage of accessory building(s)			
CH	1 acre	175	175	175	50	40	25	20	20	20	20%	65%	2%	3,000 / 50,000	10,000 / 50,000	35 feet
CU	80,000 square feet	200	200	400	50	30	25				25%	65%				3 stories / 45 feet

Zone	Minimum Tract Area	Frontage (feet)	Minimum Setbacks (feet)						Maximum Coverage Total Impervious	Maximum Building Height (feet)
			Front		Side		Rear			
			From Interior Street	From Business Park Perimeter	From Interior Lot Line	From Business Park Perimeter	From Interior Lot Line	From Business Park Perimeter		
BP	20 acres	500	40	100	40	75	40	100	55%	35